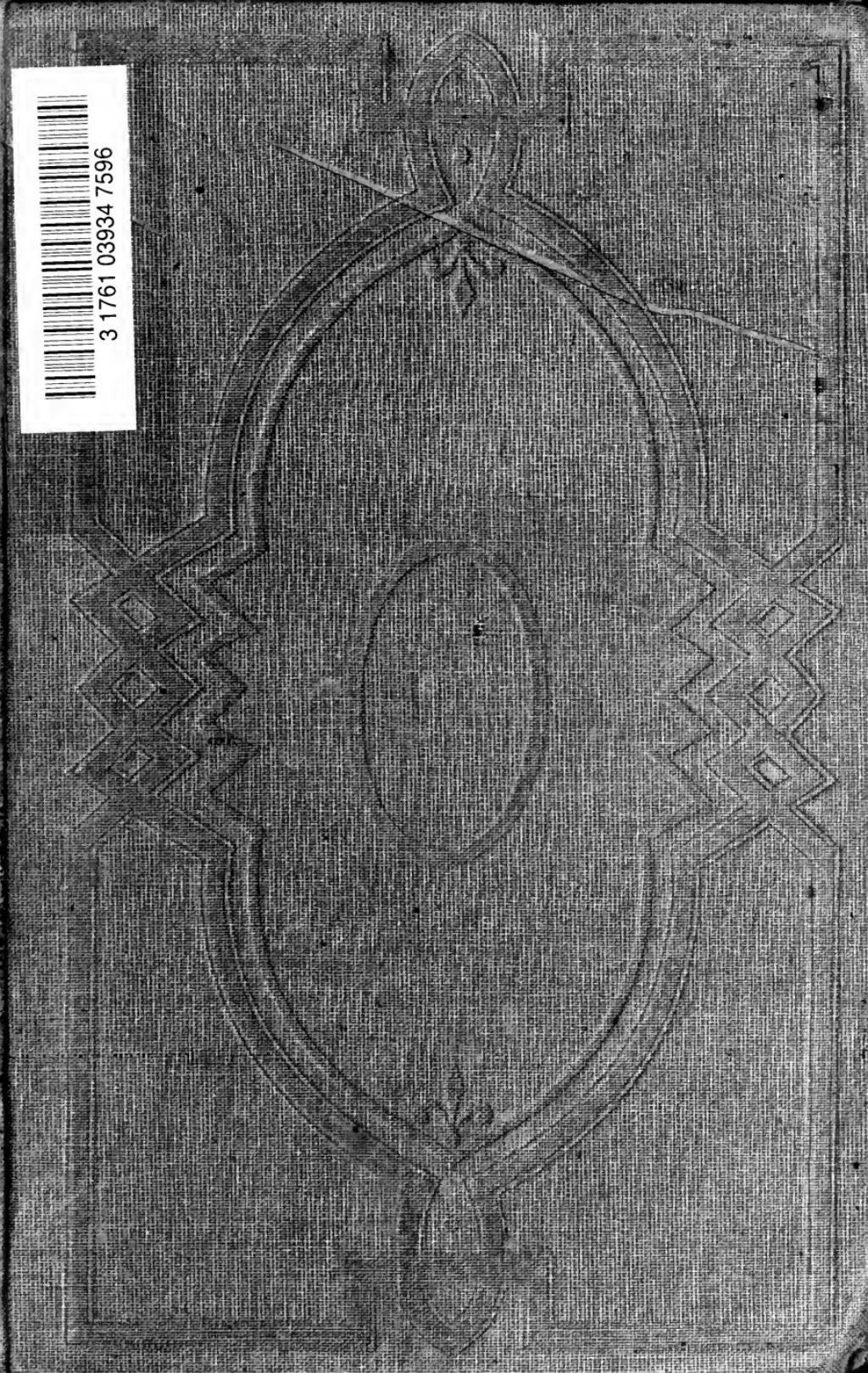




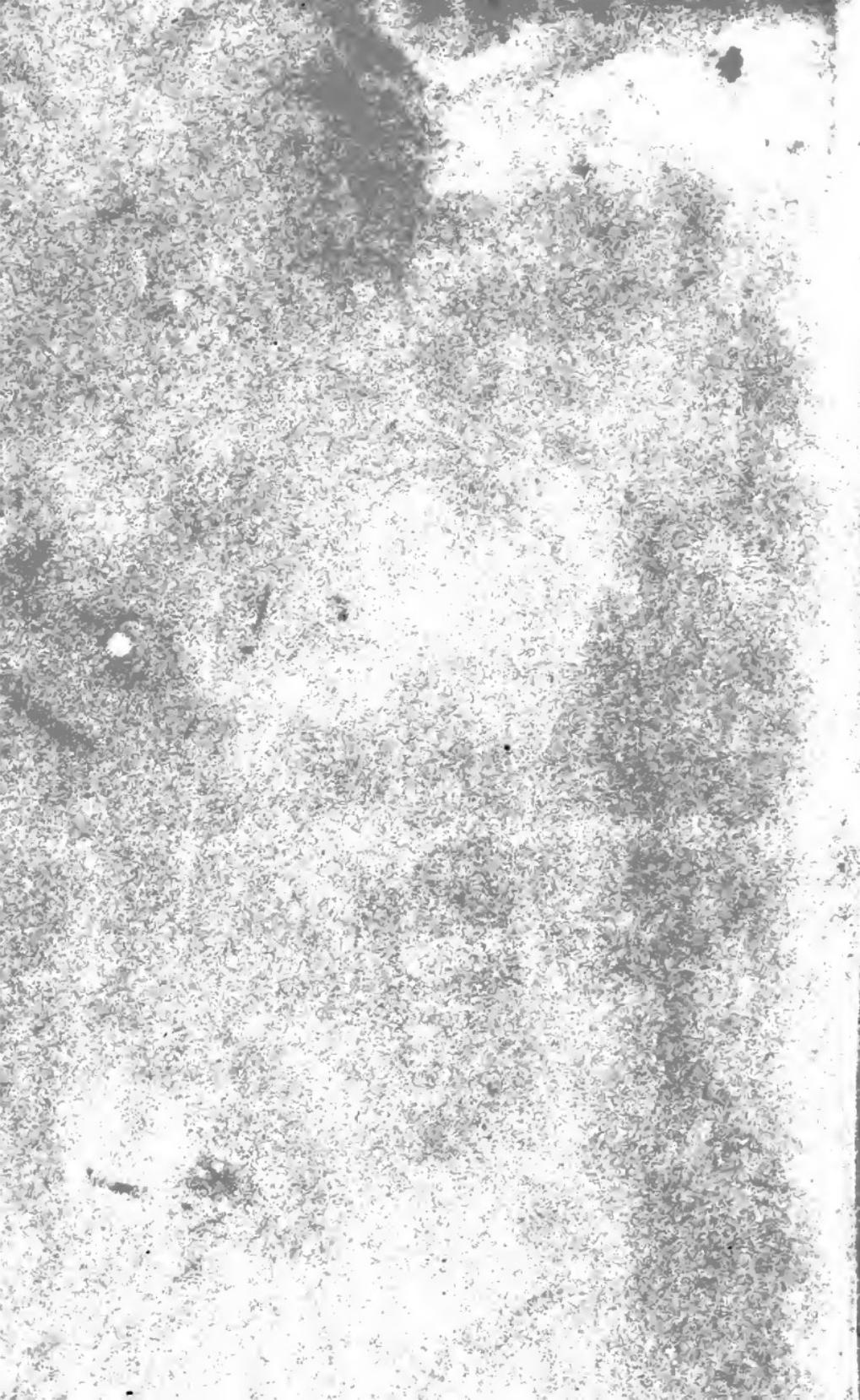
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HENRIETTA ROBINSON.

"Her early years were full of promise. Beauty
Was hers, and intellect, and all the aids
Which fortune, family, and friends could give,
* * * * *
But she was 'crossed in love,' and thence her life
To headlong ruin tended.

B Y D. Wilson.

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P R E F A C E .

THE principal design of the author in the compilation of the following pages has been, to preserve, in substantial form, the proceedings of one of the most important criminal trials that has ever taken place in this country. There have been few cases in the history of our jurisprudence, wherein the plea of insanity has been more ably discussed, and none, perhaps, which has left more serious doubts upon the public mind, notwithstanding its rejection by the jury.

The charge of Judge Harris has been published in Mr. Justice Parker's recent volume of criminal reports, but it was suggested by several eminent legal gentlemen, that a full and accurate report of the testimony and proceedings might not only be of use for future reference, in cases of a like nature, but would also, perhaps, serve to render more clear the applicability of the law as laid down by the presiding judge. It was under this advice, and with no ambition to make other than a faithful record of the trial, which seemed, indeed, worthy of preservation, that the compiler was originally induced to undertake the preparation of the work.

In his examination of the reporter's minutes, however, the many remarkable incidents connected with the trial, and especially the mysterious conduct of the prisoner herself, led him to make some inquiries in regard to her previous history. It must be confessed, these inquiries, in some measure, were the result of a curiosity that generally prevailed, as well as a desire

to ascertain whether they might not, possibly, throw some light on the question of her insanity. In these researches he was so fortunate as to obtain the evidence of those who knew her well and intimately in early life, and whose testimony settled the question of her identity beyond any reasonable doubt. Contrary, also, to the determination so long and perseveringly adhered to, Mrs. Robinson herself after her transfer to Sing Sing, disclosed to the author, at the request of some of her friends, the full particulars of her history. These were communicated minutely, without hesitation, and in an earnest and apparently truthful manner.

How far the statements of a convicted murderer, and as some still contend, a confirmed monomaniac, is entitled to credit, each is left to determine for himself. The author, however, has been careful to reject every material statement which was not either strongly corroborated by circumstances, or substantiated by positive evidence.

Under these circumstances, the volume has assumed, perhaps, more the character of a biography, than the report of an important trial; and in this shape it is submitted, without further apology, to the reader.

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HENRIETTA ROBINSON.

CHAPTER I.

INTRODUCTION—BIRTH-PLACE—FAMILY CONNECTIONS—ADVANTAGES OF BIRTH AND STATION—PERSONAL DESCRIPTION—BEAUTIFUL GIRLHOOD—VIOLENT PASSIONS—MENTAL CHARACTERISTICS—THE BARK WITHOUT AN ANCHOR.

THE propriety of publishing the biography of those who have become notorious as criminals, is a question in regard to which there exists a difference of opinion. When, however, one who has been surrounded by every worldly advantage which the possession of rank, genius, wealth, and beauty can bestow, and whose opening life gave promise of a useful and brilliant future, is borne down into the depths of infamy, as much by misfortune as by depravity, and when only a part, and that the more repulsive portion of the facts attending the downfall, is blazoned through the world, it would seem no less than an act of justice to the victim that the *whole* truth should be told. No heart is so utterly debased as to be entirely lost to every feeling of humanity, and few have ever stained their souls with such unpardonable crime, that some extenuating circumstance might not be pleaded to mitigate the condemnation of the world.

A*

The subject of these pages has been exhibited to the public gaze as one whose character was destitute of every redeeming trait. Indeed, in no other light can she properly be regarded, if we look only at the shameless life to which she had descended, and the horrible crime of which she has been convicted. But something like compassion, we are ready to believe, will mingle with the sterner feelings of the reader, as we raise the vail, hitherto more impenetrable than the one with which she has sought so assiduously to hide her features from the gaze of man, and expose the bitter causes that drove the high-born maiden from a home of luxury into an existence which her soul abhorred, and from thence down the desperate descent of vice to madness and to murder!

Much effort has been expended to involve in doubt her origin and birth-place, but on her own authority, and for reasons which will appear in the progress of this narrative, we shall state that the unfortunate woman, known to the world under the assumed name of Henrietta Robinson, and whose persistent struggles to conceal her face from public observation, have obtained for her the appellation of "*The Veiled Murderess*," was born in the city of Quebec, Canada East, in the year 1827.

Sentiments of regard toward the surviving members of the family, who have abandoned and disowned her, and whose sensitiveness has led to a denial of any tie of consanguinity, prevents us from sta-

ting her true name in this connection. That we leave for the reader to determine, as the facts connected with her wild and melancholy history are developed.

Suffice it to say, that her family, in respectability, standing, and influence, is among the very first in the ancient capital of Canada. Possessed of an ample fortune, and moving in the most refined circles of society — influential from their wealth, and respected for their intelligence and integrity — nothing heretofore has ever occurred to cast the slightest shadow on their honorable name. It was sometimes customary with the poor, fallen subject of this history, to entertain those who visited her in prison with an account of her genealogy — tracing back her lineage through the aristocratic blood of England, even to the house of Hanover.

Under such auspices, Henrietta Robinson entered upon life. So far as elevated station, and the comforts and conveniences that wealth affords, are concerned, she inherited all that the most ambitious could desire. Her father's house, on the shore of the St. Lawrence, was the abode of luxury and refinement. Thither resorted the well-born, the rich, the distinguished; and the fair child who has since become the companion of vice and crime, would then have scorned to come in contact with the humble and less pampered children of her native town.

With all these desirable advantages, however, Hen-

rietta Robinson inherited that, also, which the most destitute might not envy. God had endowed her youth with surpassing beauty, and cast her lot among the favored of the earth, but he had not granted her the gentleness of nature that constitutes the chief attraction of her sex.

It was her misfortune to possess a wayward and unbalanced intellect, and to be the slave of passions she was unable to control. Always, in her placid moods, she was graceful, winning, kind to every one, and intelligent beyond her years. At the age of sixteen she presented, indeed, a charming picture of blooming and attractive girlhood. Those who knew her at that early period, describe her as of medium height, with coal-black hair, dark blue eyes, a complexion fairer than art could imitate, and teeth whiter than the snows of her native north. Proud by nature—a quality increased, perhaps, by a consciousness of the high sphere in life to which she had been called—erect in form, perfect in symmetry, there was in her manners and in all her movements a nameless grace and dignity that everywhere attracted attention and commanded admiration. But, unhappily, her haughty spirit could not brook restraint. Once aroused, the most frightful and fiery passions raged within her breast. Possessing a mind of no ordinary strength and brilliancy, it was nevertheless subservient to impulse—wanting altogether in the faculty of self-subjection. Of a temperament excitable in the

extreme, and with a somewhat disjointed moral sense, her better judgment at once forsook her, when the headlong passions were awake.

Thus, unfortunately, the graceful bark that floated so swan-like down the current of her early life, was without an anchor to hold it fast within the channel of propriety. We shall see presently how adverse blasts drifted the frail thing out among rocks and shoals, and at length scattered it, a ruined and useless wreck, along the shores of sin.

CHAPTER II.

FLATTERING ANTICIPATIONS—DEPARTURE FOR SCHOOL—LIFE AT THE SEMINARY—FIRST LOVE—AMBITIOUS VIEWS OF HER FAMILY—DISAPPOINTED AFFECTION—HER MARRIAGE WITH A BRITISH OFFICER—DEPARTURE FOR ENGLAND—INCIDENTS ON THE WAY—THE VOYAGE TO LIVERPOOL—THE WELCOME TO LONDON.

UNTIL she had advanced beyond the age of sixteen years, Henrietta Robinson remained a constant inmate of her father's house. Up to this period her training, and all her associations, had been of the most virtuous and refined character. No pains had been omitted, no expense had been spared, to afford her the opportunity of cultivating her mind and manners. In fact, of the four daughters in her family, she was the one who had inspired the parents with the most flattering anticipations.

Fortunate, we may consider it, that they are now dead. Better it is so, than to have lived to witness the disgrace that overwhelmed their darling, and which would have brought down their gray hairs, a little later, in sorrow to the grave.

She had now made such proficiency in her studies, that it was concluded to place her in some higher institution of learning than was to be found in the city of her residence. After deliberation and inquiry, the

celebrated female seminary at Troy, N. Y., which, under the admirable management of its founder, had acquired an enviable reputation throughout the country, was selected.

Accordingly, in the year 1843, accompanied by a younger sister, she set forth from Quebec, and having ascended the St. Lawrence to Montreal, pursued her journey up the romantic waters of Lake Champlain, and arrived in due season at Troy, the point of her destination.

This was the first time that she had ever left, for any considerable period, her comfortable home. It was her first entrance into the great world, which she now complains has treated her with such remorseless cruelty, and which she professes to regard, and no doubt sincerely, with feelings of bitter and unrelenting hatred.

At that time, however, her young spirit was fresh within her; and, susceptible to the lovely and the beautiful in nature, the islands of the river, and the glorious scenery of the lake, seem to have made an abiding impression on her memory. This we infer from the fact, that she recalled them in a tone of rapture, while passing down the Hudson, on her way to prison, and, so far as we can judge, approached the living grave in which she is entombed for life, with these pleasant recollections of her youth all thronging round her.

She remained in the seminary at Troy two years.

During this time she conducted herself with becoming prudence and propriety. She was assiduous in her studies, and became proficient in drawing, painting and music. She excelled, especially, in the study of the French language, speaking it with equal fluency and correctness as her mother tongue. Subsequent travels in France gave her opportunities to render herself still more perfect in this respect, and so familiar has it become, that she is in the habit, almost uniformly, of using it in her address to strangers. Though distinguished at the seminary for gayety and an air of haughty self-reliance, she yielded at all times a ready obedience to her superiors, and never once, as we have learned, incurred their disapprobation.

On one occasion she employed a dressmaker of the city to manufacture a *doll* of somewhat unusual dimensions, clothing it with much taste and in the extreme of fashion. Having stationed it in her room, she sent out invitations to her friends, and as they entered, introduced them to it with great ceremony and formality.

On another occasion she visited, with others, a secluded pond for the purpose of bathing, and venturing beyond her depth, was in imminent peril of drowning. Though thankful then to the person who rescued her, she has often, lately, in alluding to the circumstance, expressed a regret that its waters had not closed over her forever.

She usually attended the Episcopal church, but

was occasionally in the habit of listening to religious services in Ferry street, especially during a revival that created some excitement, and became favorably impressed with the earnest eloquence of the clergyman who conducted it.

These are circumstances so light and trivial in themselves, that we would have deemed them altogether unworthy of record, were it not that they have become important evidences of her identification, as will more fully appear as we progress to the conclusion of the narrative.

We come now to speak of an event which may be considered as the turning point in her miserable life—an event which first stirred to their inmost depths the strong feelings and emotions of her nature. It was the commencement of those perplexities which drifted athwart her will, breaking up the deep fountains of passion, and throwing her out of harmony with the world.

Among the acquaintances she had formed during her residence at the seminary, was a young gentleman of the city, who, from the hour of their introduction, possessed her favorable regard. He was a young man of fine personal bearing and appearance, amiable in his deportment, frank and intelligent. A mutual attachment sprang up between them, and with her temperament and mental organization, it will be readily conceived, the full torrent of her affections

was permitted to flow without restraint toward the object of her idolatry.

Doubts have been expressed, after an examination of her phrenological developments, whether, under any circumstances, she could have been held to the strict decorums of life. We are constrained to believe that, if her first and only love had been suffered to result in the consummation of marriage, her education, the innate pride and dignity of her character, and her connection with one to whom she was so ardently attached, would have proved sufficient to have restrained her within the bounds of virtue; at least, we are confident she would have avoided the disastrous destiny which has overtaken her.

As already stated, he was one whose reputation was unblemished and irreproachable, well connected, and affluent in his circumstances. Yet his rank was not of that exclusive and aristocratic kind to meet the ambitious views of her family. They anticipated for her a more influential and distinguished alliance, an anticipation her unusual accomplishments and commanding beauty of person, gave them reasonable warrant to indulge.

Regardless, therefore, of the tender sentiments that had taken such deep and passionate possession of her soul, or deeming it, perhaps, but a youthful folly that a brief absence would cause her to forget, she was removed from the institution, and returned once more to Quebec.

But in the luxurious mansion of her father, she was ill at ease. Distance, absence, old friends and old associations, failed to divert her thoughts from the image of him who sat enthroned, sole monarch, in the temple of her heart.

A correspondence ensued, but events were at hand, destined not only to terminate their epistolary intercourse, but to crush forever the last hope of a matrimonial union with the beloved of her youth. With such pain as those only can comprehend who have been compelled to turn away from the idol of their young affections, she was aroused from the dreamy contemplations she had so long indulged, only to behold the glorious vision of her love dissolve, and vanish into air.

Connected with the regiment at that time stationed at Quebec, was a young Englishman, who held a lieutenant's commission in the British service. He was somewhat celebrated as a sportsman, and noted above his fellow-officers, for his fondness for fine horses, and the exciting pleasures of the course; but what commended him particularly to the family of Henrietta Robinson, was his wealth and aristocratic connections.

He was a scion of English nobility, well known in the most fashionable quarters of London. In so far as worldly advancement was to be considered, without reference to compatibility of temper, disposition, and mutual attachment, a union with him presented,

indeed, extraordinary inducements. In the estimation of the world, which regarded only the external trappings with which it would surround her, such a matrimonial alliance was pronounced fortunate for herself, and honorable to her family.

Notwithstanding, however, his high descent, and with all the glitter of his wealth, he found no favor in her eyes. Her spirit yearned for something more than mere earthly splendor; and while her high-born suitor was kneeling at her feet by the broad river of Canada, her heart was communing with another on the distant shore of the Hudson. The waters of those rivers flow in opposite directions to the sea, and it would have been as impossible for them to have rolled back and united in a common channel, as it was for her to turn into another and diverse direction the strong current of her affections.

To her family, and to her aristocratic lover, she stated, with earnest and decided frankness, that her heart was already disposed of, and that she could never love him. She depicted the consequences that would ensue, and portrayed in vivid colors the unhappy life that would result from the connection. But her affections were derided as the love-sick fancies of a girl. The advantage of position, and the social eminence such a union would secure, were urged upon her by her family with all the eagerness and impetuosity that interested motives could suggest. She was appealed to, as she regarded her own welfare

and the honor of her house—she was commanded, as she feared the anger of parental authority, to yield her consent to the nuptial ceremony. Thus alternately threatened and entreated, and wearied out, at length, with their incessant importunities, she suffered the young lieutenant to lead her before the priest, and offered herself a reckless and haughty sacrifice on the altar of worldly pride.

The marriage was celebrated on the 16th December, 1846. They remained in Quebec but a brief period. The happy and successful lover, resolved to introduce his beautiful bride to his friends and family in England. Accordingly, they departed for New York, with the purpose of embarking for Liverpool, and on their way rested a few days at Troy.

Here, for the first time after their marriage, she gave way to the crazed and heedless impulses that have, since, so strangely characterized her unfortunate career. She clothed herself in male apparel, and wandered through the city. She drank, and raved over her broken hopes, exhibiting a spirit of utter recklessness, and overwhelming her husband with a bitter storm of reproaches. Whether the cause of her excitement may be attributed to the memories her presence in Troy would be likely to recall, it is unnecessary to determine, but very certain it is, her husband departed with her from that city with feelings more of shame than pride.

Arriving in New York, they secured a passage, and

after a speedy voyage across the Atlantic, reached Liverpool, and from thence proceeded directly to the family residence of the lieutenant, in the city of London. She was welcomed to a dwelling more magnificent than the homestead she had left behind her, and surrounded by friends anxious to administer to her happiness; yet, amidst it all, the restless heart of the woman was desolate and wretched.

CHAPTER III.

LIFE IN LONDON—TRAVELS IN SCOTLAND, FRANCE, AND ITALY—HER CHILDREN—ABANDONS HER HUSBAND—RETURNS TO AMERICA—DESCRIPTION OF SCENERY—HER JOURNEY FROM NEW YORK TO QUEBEC—ARRIVAL IN HER NATIVE CITY—REPULSED BY HER FAMILY—THE MAD PROPHECY—NOVEL SITUATION—SEEKING EMPLOYMENT.

THREE years she continued to reside in London, and they were years of conjugal bitterness and infelicity. This unhappy state, however, was not the result of any severity, unkindness, or inattention on the part of her husband. It was solely attributable to her own unreasonable conduct. She had been “crossed in love”—cheated, as she fancied, out of a life of bliss, and it was characteristic of her evil nature to remember it with emotions of resentment and revenge.

Though still maintaining her stately bearing before the world, and preserving her virtue from the shadow of suspicion, her domestic life, during her entire residence in Europe, was so violent as to be the source of perpetual annoyance and mortification to her friends.

In the hope that it would in some measure mollify her temper, her husband accompanied her into the Highlands, and having visited many places of historical interest, crossed the channel to Paris, from thence

making long journeys into Italy, and through the most delightful parts of France; but among the solitudes of Scotland, or amidst the gayeties of Paris, she was still the same intractable creature, whom neither novelty, kindness nor reason could win to the ways of gentleness.

The truth is, without just cause—indeed without any cause whatever, as she has always been ready to admit—her indifference toward her husband gradually changed into absolute hatred and disgust. She became the mother of two children, who are now living; yet these events did not effect an alteration in her character or deportment. She seemed, indeed, to be one in whose breast the fountains of maternal tenderness were forever sealed; nor did she look upon her husband with any more kindly favor, or with a less unrelenting spirit, because he was the father of her offspring.

Thus matters progressed until the autumn of 1849, when she resolved to return to America. In regard to the circumstances attending her departure from England, she is silent. Whether she left with the consent of her friends, or secretly escaped, we have not been able to ascertain. We are inclined, however, to the opinion that her departure was clandestine, and we are led to this conclusion from the fact that she kept herself closely confined to her cabin on the passage, “suspecting,” as she expressed it, “there were spies on the vessel.”

Arriving in New York, she stopped at the Irving House, and there, as she represents, she attracted, for the first time, the attention of one whose subsequent connection with her may be regarded as most unfortunate. He was a man who has occupied a prominent position in the world, and whose name has not been unfamiliar to the people of New York. He has been commended by partisans as a person of integrity, and denounced by his enemies as unworthy of confidence. Having now passed from the observation of his fellow citizens into comparative obscurity, we have no desire to direct attention toward him or any other person connected with Mrs. Robinson, further than it may be necessary to present the incidents of her life, as she herself relates them, faithfully and truly.

In regarding her career, from this time forward, it is useless, perhaps, to speculate upon the question, how far her misfortunes were the result of her personal associations. Driven, as she was, by the force of circumstances, into a condition of dependence, and to the verge of desperation, it is not for us to say that she might not have formed other connections equally as disastrous to her reputation. However deserving of the severest censure the conduct of others may be, whom circumstances may have brought in contact with her, it, nevertheless, affords no justification of the subsequent course of life she consented to lead, or of the heinous violation of law of which she has been pronounced guilty.

There were those, it is true, if her own sorrowful story is to be relied on, who were instrumental, to say the least, in placing her in the unfortunate position from which she found it impossible to extricate herself; and while she attributes to such instrumentality the beginning of those troubles which finally kindled in her bosom the murderous frenzy that resulted so calamitously, it is difficult to regard them as entitled to apology or forgiveness. Yet, it will be seen, as we trace, step by step, the gloomy fortunes of the woman, that whatever may be the circumstances that surround us, the only safe anchor to depend upon, amidst the temptations and perplexities of life, is a strict adherence to virtuous principles, and that the wickedness of others, though it may palliate, cannot excuse the violation of them. And such is the lesson, we trust, her history will convey.

Helen Reynaud, a young French girl, was the only person, as we are informed, who accompanied Mrs. Robinson from England. This girl had long and faithfully served her in the capacity of waiting maid, and between them there existed a sincere attachment. Since that time she has married and returned to France, where she is now residing in the vicinity of Paris.

During their voyage, both of them suffered severely from sea-sickness, and in order to recover from its effects, they resolved to remain several days at the Irving House, before continuing their journey toward Quebec. Although she had attracted attention, as already stated, while at the Irving, she nevertheless found no

acquaintances there, confining herself very closely to her own apartments. At length, sufficiently recruited, she took passage on a Hudson river steamer, and in due time found herself once more in Troy. She lingered here but a short period, only long enough to wander, unrecognized, through several familiar streets, recalling many events connected with her happier days, and affected by the sad recollection of her disappointed love.

Without revealing her arrival in the city, to any of her old friends, she resumed her travels, pursuing her course toward Canada by the way of Lake Champlain. It is somewhat remarkable, that through all her trials, she still retains the most lively recollection of this pleasant lake, and the scenery that surrounds it, describing it with animation and enthusiasm, as "the jewel of the north." Indeed, her admiration of natural objects, trees, mountains, waters, is such as would scarcely be expected of one in her condition.

It was just at twilight of a fine autumnal day that the steamer approached her native city of Quebec. Three years had elapsed since the familiar scenery that now surrounded her had faded from her sight. Every object that her eyes beheld recalled the days of her youth, the pleasant memories of the past. Her married life had been unhappy beyond endurance, and through all the scenes she had passed in Europe, she had been discontented with her lot. Her impatient soul had yearned continually to break through the meshes of conjugal bondage and fly to the city of

her birth. As she approached it now, after her long and unhappy absence, her description of the emotions that possessed her bosom—the tender remembrances the scene revived—exhibits her in a light so gentle and subdued, that we forget the impulsive violence of her character, and are constrained to regard her more with feelings of pity than dislike.

On leaving the steamboat she hastened to the mansion of her relatives. Her arrival had been anticipated. The intelligence of her probable departure for Canada, and the abandonment of her children and husband, had preceded her. She was met at the threshold with reproaches. She pleaded her uncontrollable repugnance to her husband; declared that they well knew that she had never loved him; that she never could love him or endure him, and that no earthly power should ever compel her to return to him again. These assurances were greeted with contempt and exclamations of shame and scorn. Aroused by the bitter words and epithets that assailed her, she returned taunt for taunt, and scarcely had she entered the old home—still standing in the hall—not yet having laid aside her traveling apparel, before the controversy had become inflamed into a mutual tirade of vituperation. She was denounced, disowned, declared unworthy her name and lineage, and, to crown the scene, she was driven from the house, with many angry admonitions never to return.

With a heart seething with mortification, insulted

pride, revenge, and hate, she turned away forever from the house where she was born ; but not until she had raised her wrathful arm toward heaven, and vowed by the Almighty, that she would yet cause those who had thus repulsed her to hang their heads in shame. Little did she dream how soon the mad prophecy would be fulfilled.

She sought shelter that night in one of the Quebec hotels. The following day she remained in her apartment, brooding over her situation, alternately excited to frenzy at the recollection of the treatment she had received the previous evening, and depressed with apprehension at the uncertain prospect before her. Her indomitable pride at once led her to the resolution of concealing the fact of her presence in the city. From her window she observed many ladies moving through the streets who had been her friends from earliest remembrance, and whom, under different circumstances, she would have hastened to embrace. Alas ! it would have been well for the woman, could she, on that day, have conquered her haughty spirit, and on her bended knees suffered her tears to plead for forgiveness with her kindred. But it was not in her proud nature to submit to dictation or adversity. Though there were moments when grief overpowered her, yet her predominating mood was one of independence and defiance.

It was, however, a novel and alarming situation in which she found herself. She had been petted and

pampered through childhood—courted and caressed in youth—surrounded by throngs of friends in her maturer years; she had never experienced the want of means or known a day of toil; but now she had not a friend in whom she could confide, and, for the first time in her life, the thought of obtaining her own livelihood became the subject of reflection. The expenses of her voyage from England had nearly exhausted her funds, and she scorned the suggestion of applying to her family for more.

In this extremity her mind reverted to her school-girl days at the seminary, in Troy. She had confidence that her capacity and acquirements were such as fitted her to discharge the duties of tutoress in some branches of education taught in the institution. Having seized the idea, she pondered over it long and earnestly, and no other course more likely to succeed presenting itself, she resolved to pursue it. Besides, while she anticipated it might relieve her from immediate necessity, she also fancied, at the same time, it would result in the gratification of her feelings of revenge. She was aware that her friends, from their position and elevated notions of society, would be mortified to behold her engaged in such a praiseworthy but unaristocratic employment. It would be annoying and humiliating to them, she imagined, to see her laboring as an humble tutoress for her daily bread, and, in alluding to this passage in her life, she remarked, with somewhat malicious emphasis, “I

thought how it would sting my brother." Accordingly, without being recognized by any of her acquaintances, she left the hotel, and, securing a passage on the first steamer that departed for Montreal, was borne away from the city, overcome with far different emotions than those which the sight of her native suburb, and the sweet memories of youth, had excited in her breast, as she approached it three days before.

CHAPTER IV.

A POOR PROSPECT—THE MISFORTUNE—THE SUSPECTED SPY—RETURN TO TROY—INVEIGLED TO DESTRUCTION—A WOMAN AND AN OUTCAST—THE PARTNERS OF HER SHAME—HER PERSONAL APPEARANCE—THE LAMENTABLE DESTINY—ORIGIN OF THE ASSUMED NAME—REMOVAL TO ALBANY—STRANGE FANCIES—THE POOR SERVANT GIRL—ARREST IN ALBANY—THE TROY COTTAGE—ATTEMPT TO ESCAPE—THE FAILURE.

Possessing, as Mrs. Robinson does, the unsubdued, unregulated character, we have endeavored to describe, rendered desperate and reckless by treatment she considered undeserved, and going thus forth alone into the world, actuated by a sudden and angry impulse, and in pursuit of an employment totally unsuited to her disposition or education, and which, it is very probable, she would have failed altogether in obtaining had it been applied for, as she designed, the prospect of a happy life that now presented itself was very poor indeed. It is unfortunate, however, that she abandoned the resolution with which she departed from Quebec, before she had carried it into effect, so far at least as an application at the seminary for the situation of tutoress was concerned ; for although she mistook the calling for which she was fitted, and would undoubtedly have been disappointed in the end, whether successful or not, it would have brought her to the notice of those to whom she was known, and

whose interest in her welfare would, in all probability, have saved her from the melancholy fate she has since encountered.

Aside from the emotions of pride, revenge and fear by which she was alternately influenced, there is nothing in her description of the journey back to Troy by the same route she had just traversed, of any particular interest, except it may be, perhaps, a suspicion she was led to entertain, that she was followed by a person, employed in the capacity of a spy, to observe her movements. This suspicion grew out of the fact that she recognized among her fellow-passengers up the St. Lawrence and Lake Champlain, an individual whom she also remembered having seen among those who accompanied her on the passage northward. His eyes, she fancied, were fixed on her, whenever she was visible. Besides, she gradually became impressed with the idea that his features were not unknown to her, that she had often seen his face before, but when or where she was utterly unable to recall. Her curiosity, at length, became excited in regard to him, and the more she revolved the matter in her mind, the greater was her anxiety to ascertain who he was, and whether the fact of their thus meeting on the same conveyances was the result of accident or design. She inquired of herself if she had ever seen him in England. She could not remember distinctly, and yet it must be, was her conclusion, that he was no other than an emissary of her husband, who had been

sent out by him to watch her progress and report her movements.

This subject occupied her attention, and diverted her thoughts from more unpleasant contemplations, during a great portion of the journey. It happened, however, on arriving at the southern termination of the lake, while herself and waiting maid were experiencing much difficulty in taking charge of an unusual quantity of baggage, he politely presented his card, with the proffer of his assistance, when she discovered, to her relief, that the conclusion to which she had arrived in regard to him was entirely unfounded.

Mrs. Robinson represents that on her arrival in Troy, instead of proceeding directly to the seminary, she stopped for the night at one of the principal hotels. Circumstances, not necessary to be recounted, induced her to change her mind, and to adopt a different and less worthy mode of life than that upon which she had resolved. We shall pass over in silence the week ensuing her advent to the city, omitting any attempt to describe the accursed arts, by which the poor victim was inveigled to destruction.

Impetuous and turbulent of temper as she was, headstrong and impatient of control as she had always been, with all her faults, and follies, and foibles, we have found no reason to surmise, nor do we at all believe, that previous to this time, Hénrietta Robinson had ever deviated from the line of chastity. Her first sin, she has said, was the desertion

of her husband and children. The excuse, however, which she offers, if any excuse may be offered in mitigation of such an act, is, that she was forced into a marriage she found it impossible to endure. The consequence of the desertion of her husband was a rude expulsion from the presence of her family and kindred, and thus, without experience, without friends, without means, with no one to protect or to advise her, she was driven forth, a woman and an outcast, upon the world.

We can sympathize with the father of her deserted children, and excuse the hasty rashness of her offended family; but for whoever it may have been that first enticed her into the path of evil, there is no excuse that can relieve him from indignant censure. Her sins, indeed, have been terrible, and terrible is the punishment with which they have been visited; but while the world pronounce upon her the righteous sentence of condemnation, let not those who may have ensnared her into vice escape unscathed.

At this period, Mrs. Robinson was twenty-three years of age, and in personal attractions, the stately presence of the woman had not disappointed the promise of her youth. She was still erect, with the same lofty carriage and aristocratic air. The spring bud had expanded into the rose of summer, and time had crowned the graces of her girlhood with a most attractive dignity. In her manners, she was elegant

and engaging. In conversation, she was fluent, her language correct and polished, and what, perhaps, added to its interest, was the slight foreign accent in which she uttered it. She presented, in fine, the appearance of a beautiful and well-bred English lady; one whose education had been highly cultivated, and who had evidently moved in the most refined circles of social life. And this is the woman—heretofore surrounded, as we have seen, with wealth and splendor, but whose history, strange as it may be, we are about to trace through scenes of shame and madness, and at last murder; and whom, only executive clemency has saved from the penalty of death!

Conscious of having forfeited all claim to esteem or respect, she yielded to unfortunate suggestions, and, in the course of a few weeks, had taken up her residence in a quiet part of the city, without any apparent business to occupy her attention. There were many at that time, in Troy, who would have readily recognized her, and it became, therefore, necessary, in order to avoid exposure, to confine herself to the strictest seclusion. Her pride revolted at the idea of her fallen and degraded state, and she resolved to hide herself from the knowledge of her friends forever. She accordingly lived apart from all society, and never entered the streets unless closely veiled, or under cover of darkness.

This manner of life was so different from that to which she had been accustomed, and so contrary to

her natural fondness for the company of associates, that her characteristic infirmity of temper became more irritable and eccentric than ever. Days, weeks and months passed by, and still she sat brooding over the lamentable destiny that had befallen her. In the whole city there was but one who scarcely knew that she existed, and he only sought her in disguise or unperceived, ashamed of the association, for *he* was respectable, and men *honored* him, and on election days threw their hats before him in the air, and gave him their triumphant suffrages.

She assumed the name of Mrs. Henrietta Robinson, and the reason she assigns for selecting this particular appellation appears to encroach considerably upon the fanciful, and is here recorded merely for the benefit of the curious. We, by no means, rely upon her as historical authority, but she states that George the Third contracted an illicit union with a certain Mrs. Robinson, and that by tracing back her genealogy in a direct line, we reach the issue of that alliance. She, therefore, adopted the name of her ancestress, and considering their respective positions, there seems to have been a peculiar appropriateness in the selection.

It is not our object to exhibit her as one in whose veins runs the blood of royalty, although she asserts that such is the fact, with laughable sincerity; nevertheless, we were somewhat surprised to learn, through a gentleman whose authority is reliable in all mat-

ters relating to the history of the house of Hanover, that he possessed a biography of George the Third, nearly all of which was suppressed, containing a particular account of his intimacy with a Mrs. Robinson, an actress, precisely as she relates them, and furthermore that it represents that a son, the offspring of their connection, assuming her family name, emigrated to Canada.

But all this is of little consequence, simply showing that the ancient and modern Mrs. Robinson experienced a similarity of fortune—the only difference being, that while the former had the taste to intrigue with a king, and the descendant of a race of kings, the latter consented to consort with one of less distinguished and aristocratic blood.

Upward of a year she continued her residence at Troy in the unpleasant and unnatural manner that has been mentioned, when circumstances, of which we are not particularly informed, induced her to seek another place of abode. Accordingly, she selected, from motives of convenience, the neighboring city of Albany, removing thither some time during the year 1851.

There she first exhibited those singular manifestations of monomania which are traceable throughout the whole of her subsequent career. Her mind began to dwell upon strange and peculiar fancies. She conceived that she was an object of persecution, and though almost entirely unknown and unnoticed, im-

agined that she was the subject of general comment and gossip in the neighborhood.

She, however, attributed the origin of it to the witchcraft of an humble and unoffending servant girl in the vicinity, who, she surmised, had excited the populace against her, and consequently the full force of her hatred and indignation was concentrated upon her. She believed if the girl was dead, the cause of her afflictions would be removed. Accordingly, she provided herself with a pistol, and so openly sought an opportunity to take her life, that a warrant was issued for her arrest. The police officer found her in the company of a friend, who, having snatched a moment's relaxation from the cares of business, was quietly seated by her side at table, enjoying his evening meal. He accompanied her to the magistrate's office, and became her bail, but the affair was never further proceeded with.

It induced her, however, to remove to another, and less frequented part of the town; but the measure to which she had resorted, with the view of allaying an imaginary excitement against her, had the contrary effect, as may well be supposed, and as the story of her flourishes with the pistol was noised abroad, she became the "town's talk" indeed. To such an extent was public attention attracted toward her, that it was finally considered prudent to remove her entirely from the city.

At the north end of Troy, close by the left bank of

the Hudson, is a small white cottage, with pillars in front, and a tasty yard overgrown with grass and shrubbery between it and the street. A large brick edifice hides it entirely from view as you approach it from the south. It is not in line with the adjacent buildings, standing nearer the water, and looks like a little abode of modesty, which had shrunk back from the street, in order to avoid observation. From the rear is a pleasant view of the river, Green Island, and a broad landscape stretching toward the west. A stranger would regard it as the home of humble and unpretending innocence.

Within this cottage she now took up her residence. It was furnished with taste and elegance. An old white headed man was taken into service, acting in the capacity of gardener. She was attended, also, by a young servant girl, and with these domestics passed her time, to all outward appearances, in a very easy and comfortable manner.

She was well supplied with money, having a deposit in bank, from which she could draw at convenience, and was permitted to indulge her taste in dress to the utmost extent. Indeed, in the matter of apparel, the fact fully justifies the assertion, that she was literally "arrayed in purple and fine linen."

The truth is, that while she had suffered herself to become irretrievably disgraced—entirely at the mercy of one upon whom she was now dependent for a livelihood, she, on the other hand, had acquired

a controlling influence over him. Extravagant as were her demands, they were invariably, and it might be added generously, complied with. She deeply interested herself in all his affairs, sincerely rejoicing with him in his prosperity, and grieving with him whenever he met with misfortunes or adversity. In fine, she entertained toward him a sentiment which was something more than what arose from a mere sense of personal dependence, and something less than a genuine affection.

She, however, appreciated her condition, and was unhappy. Her long and guilty seclusion from the world had become irksome in the extreme. The memory of what she had been was a continual sorrow; the realization of what she was, excited her to madness. She was oppressed with desires to return again to the society from which she was excluded, to rise from the degradation to which she had descended. At last, her thoughts turned toward England, and prompted, we will hope, by some lingering of a mother's love, she resolved to seek her husband, and cast herself penitently upon his mercy.

With this resolution strong within her, she ascertained the time of the departure of the steamers, and taking advantage of her associate's absence, secretly set out for Boston. On reaching that city, she stopped at the Revere House. So cautiously had she proceeded, that she indulged not the slightest apprehension the route she had taken would be discovered. She had broken away, at length, and a few more days.

would place the wide ocean between her and the scene of her shame and misery. It was a thought that rose up pleasantly in her mind, bringing with it a blessed sense of relief. But these better feelings and impulses of her nature were of short duration, for the insatiable wolf was again upon her track, and will presently overtake her.

CHAPTER V.

RETURN FROM BOSTON—UNEXPECTED DIFFICULTIES—THE RUMOR—ABSURD IMAGINATIONS—ARMS HERSELF WITH REVOLVERS—THE FEAR OF VIOLENCE—BECOMES NOTORIOUS—CONTRADICTORY ACCOUNTS OF HER FAMILY—THE PICTURE AND THE FLOWERS—THE UNBENDING SPIRIT—BECOMES INTEMPERATE—TIMOTHY LANNAGAN AND CATHARINE LUBEE—TRUTH STRANGER THAN FICTION—THE TELEGRAPHIC DISPATCH—THE DOUBLE MURDER.

In some manner the sudden and mysterious absence of Henrietta Robinson became known very soon after her departure from Troy, and no time was lost in making such inquiries, at rail road depots and steam boat landings, as led to the discovery of the course she had taken in her flight. It was at the moment she was about leaving the hotel, to engage passage in a steamer to Liverpool, that a servant announced the arrival of a person who was desirous of an interview, and before an answer could be returned he had hastened to her apartments and presented himself before her.

She was somewhat confused by his unexpected presence, but nevertheless expressed her determination to proceed to Europe in accordance with the resolution she had taken. He, on the contrary, as she alleges, combated the idea with all the skill and ingenuity of which he was master, and unluckily with

such success, that the close of the ensuing day found her once more in the little white cottage on the bank of the Hudson.

From this time forth, it would seem that her destiny was sealed, that she was a woman lost beyond the prospect of redemption. In addition to other sources of unhappiness, her friend was beset with startling and unexpected difficulties, growing out of a disagreement between himself, and some of his *co-managers* in the *extensive business* in which he was engaged, and the dissatisfaction of a *large number of those by whom he was employed*. Absorbed in the arrangement of his affairs, his visits to the cottage became less and less frequent, and finally seemed to have terminated altogether. She was neglected, her funds were running low, and in addition to it all, there came to her ears the hissing rumor that he was about to forsake her in order to form a more honorable alliance.

These causes were sufficient to arouse one of her peculiar temperament to the highest pitch of excitement. Again, as at Albany, she gave evidences of a mind disjointed and deranged, brooding over strange and absurd imaginations, and adhering to them, against all persuasion, with vehement pertinacity. She conceived that a wide-spread and powerful *conspiracy* had been formed for the purpose of crushing particular individuals, and that she was included among the victims. In her language, and in all her actions she appeared strange, confused and

inconsistent, indulging in eccentricities of the most singular description.

She gradually emerged from her seclusion, and had evidently lost that sense of modesty, or rather of pride, perhaps, which had heretofore kept her in retirement. She came forth into the streets leaning on the arm of her gray-haired gardener, and with such a singular and reckless air, that people turned and gazed after them with inquisitive curiosity. She courted conversation, even with strangers, and at once launched out into earnest phillipies against individual citizens, as if all the world was familiar with her troubles.

She continually imagined she was surrounded by a mob—that her neighbors had become burglars, and had entered her house and despoiled her of her property. Again, she armed herself with revolvers, and publicly proclaimed her determination to take the life of particular persons.

On one occasion she entered the house of a neighboring woman, inquired for her son, and very deliberately remarked that she desired to shoot him. On another occasion, she requested a young lady to hasten for a certain physician, asserting that her husband was lying ill, presenting her with a pistol to protect herself on the way, and offering her money as compensation for the service, but presently saying her husband was not ill, and that her object was to get the physician into her house in order “to blow his

brains out." The alleged provocation of this sanguinary purpose was an imaginary insult, and the fantastic fabrication that he had attempted to poison her—a fact which she had demonstrated, she said, by administering his medicine to a dog, from the effects of which the dog died, subjecting her to an expense of five dollars.

She fancied that a gentleman who resided near her, in addition to his active participation in the general persecution that raged against her, had stopped the navigation of the Hudson river. She was found groping in the dark, through the halls of public buildings, inquiring for the police office, and demanding of the authorities assistance to protect her house, which, all the time, had remained unmolested and undisturbed. She wandered about the city at night, armed with her revolver, and presented it at the breast of one who had the curiosity to observe her movements. She sallied out at a very early hour in the morning, clad only in her night garments, and arousing an acquaintance from sleep, requested the loan of a dress, with the singular apology that she had forgotten her outward apparel on leaving home.

Her appearance at times was wild and unnatural; her dress, heretofore uniformly and unusually neat, occasionally became disordered and slovenly. She sought advice of different people as to the most effectual manner of defending herself against attack; and, indeed, all her thoughts had evidently concen-

trated in one great fear of violence. This state of mind aroused within her a revengeful spirit of resistance ; she concealed her jewelry beneath her carpet, through fear of theft ; she kept her pistols constantly about her person ; she threatened "to wash her hands in the blood of her enemies ;" and, in fine, the destruction of human life appeared to be the most familiar subject of her contemplation.

This conduct was fast rendering her notorious about the neighborhood. She proclaimed herself the lawful wife of a very prominent citizen, declaring that they had been married at his father's house, and expressing her purpose to take his life should he fail to avow it on his return. So frequent and public were her references to him, and so many were the assertions she made, that certain of his familiar friends, deeming they might become detrimental to his interests, perhaps, resolved to seek him in New York or Washington, at one of which places he was at that time remaining, and inform him of the scandal she was bringing upon his name, with the view of his removing her from the city. It is a somewhat remarkable fact that these gentlemen had made arrangements to depart on their friendly errand the very morning following her arrest.

During these seasons of unreasonable apprehension, however, she steadily concealed her real name and history. She frequently alluded to her husband, accounting for his absence, by representing that he was a

contractor on a railroad ; and whenever she referred to her parentage or antecedents, her statements were extremely ludicrous and contradictory. Sometimes her father was a lord, who had driven her from his castle, because she had married beneath her rank ; at other times she attributed her misfortunes to the unkindness of a step-mother ; and still, at other times, she spoke of herself as the daughter of an humble Irishman, and as having been born in Vermont.

She had in her possession the picture of a lady, represented as holding in her hand a bouquet of flowers. Over this she would sob and weep, informing those present that it was the likeness of her mother—a gift she had received from her as she was driven from the castle gate—and that the original of the flowers had been gathered in the garden of the king of France. Her moods were more sudden and changeable than the wind. At one moment she would laugh immoderately, the next would find her drooping over her mother's picture, and bathing it in tears, and the next, dancing about her apartments in the highest glee.

She amused her acquaintances with stories of the wildest and most whimsical character. Fondling her revolver, she descanted upon the glorious life of the soldier, and boasted of the chivalric feats in arms she was able to perform. Standing on the river bank, she gravely related how she could swim out into its deepest parts, and then by placing a miraculous cork

between her teeth, float in safety on the surface.
Like the lady in Byron's dream,

"She was become
The queen of a fantastic realm : her thoughts
Were combinations of disjointed things."

These singular and insane demonstrations, however, it should be understood, were only periodical. The greater portion of the time she conversed rationally, and conducted herself becomingly. It was extremely rare, while in her natural state, that she appeared in public; and when she did venture out for the purpose of exercise or shopping, her urbanity of manners and genteel appearance made a favorable impression on all with whom she came in contact. It was only at certain times, and on certain subjects, that she threw aside the graceful dignity of manner for which she was distinguished.

Any allusion to her imaginary difficulties—anything that reminded her of the *terrible conspiracy* which had now become a familiar phantom of her bewildered brain—aroused her instantly; and the slightest reference to the marriage before alluded to, threw her completely off her balance. On these occasions, she was incapable of exercising any control whatever over her imperious and haughty nature; her language became assuming and dictatorial, and the remotest slight, insinuation or familiarity, at once resulted in some reckless demonstration of violence, singularly in contrast with the pleasing and affable demeanor that marked her moments of composure.

It would convey more than is true, to say that she loved him with whom she consorted, for in her heart there was an under-current of mingled hatred and contempt of the man; and yet she was jealous of him, and clung to him the closer, the more she was neglected. To him only would she turn for society or protection; for him she had sacrificed every claim to sympathy or respect; and in view of all that she had lost by the dishonorable connection, she undoubtedly felt that she had a right to demand attention and kindness. The recollection of the high station from which she had descended to minister to his passions, inspired her with angry and contemptuous emotions. Indeed, throughout her whole career — among the high or low — in prison — before the judge that condemned her, she has displayed the most proud and unbending spirit.

* * * * *

Nearly opposite her cottage, on the corner of Rensselaer and River streets, was a small grocery store, kept by a man named Timothy Lanagan. It was a building of one story, divided into two apartments, in one of which he transacted business, and in the other his family, consisting of his wife and four children, resided. Mr. Lanagan was an uneducated man, an Irishman, and in humble circumstances; but he bore an honest and reputable character. His place

was the habitual resort of his countrymen who inhabited that quarter of the town. He sometimes furnished them with a cheap entertainment, in the way of music and dancing, and on such occasions the excitement of the pastime, and the exhilaration produced by frequent potations, rendered the jolly sons of Erin more noisy than was necessary.

In the spring of 1853, Catherine Lubee, aged twenty-five years, a sister of his brother's wife, became a member of Mr. Lanagan's family. She had been at service in Albany; but at that time having no present employment, she had sought a temporary abode in his house, until a situation could be obtained. Catherine Lubee is represented as an humble but modest and inoffensive girl. She was at enmity with none, having but few relatives in the country, and from early youth had led a toilsome, lowly, and unobtrusive life.

At this grocery Mrs. Robinson was in the habit of purchasing her provisions. In the commencement, these purchases were made by her old gardener, or by her servant girl. After a time, she began to send there for beer, and this gradually became of such frequent and daily occurrence as to excite curiosity. She sometimes also sent for brandy; and it was apparent, from the continually increasing quantities of beer and liquor that she used, that her intemperate habits had become fixed, and that she must have been constantly in a state of inebriation.

This was presently manifested by her appearance in the streets. Her conduct was now more wild and eccentric than it had ever been before. She seemed to have become entirely reckless—to have lost all sense of dignity and propriety. Instead of sending out for her liquor, and using it in private, she would now call for it at the counter, and swallow a glass of beer or brandy with the relish of a habitual tippler. She became a constant visitor at Lanagan's, drinking at his bar, and brawling with every ragged drunkard that hung around his groggeries.

Her associates were of the lowest kind. She attended a dance at the grocery on one occasion, mingling with the rude and rowdyish characters who composed the assembly. Taking fire at some real or supposed insult, she drew her revolver ; and such was the disturbance which the broil created, that she was forcibly ejected from the building.

Truth is, indeed, stranger than fiction. We doubt if romance ever disclosed a more marvelous phase of human life. It is difficult to realize that this drunken woman, who utters profane and vulgar language, wrangles with intoxicated rowdies, and is turned into the street, as unworthy to join in a low Irish dance, once associated on equal terms with the English nobility, and was the center of admiration in the saloons of London. It is difficult, indeed, to realize that she is the daughter-in-law of a baronet.

During the month of May, 1853, she became out-

rageous and uncontrollable. Her apprehensions of violence again returned, and the burden of her conversation was threats of vengeance against different persons toward whom she had conceived an animosity. There had been some ill feeling on her part toward Lanagan, at the time she was driven from his premises, but they had become reconciled. In fact, his family was the only one in the neighborhood with whom she appeared to be on terms of intimacy and friendship. They treated her kindly ; and Mrs. Lanagan, in particular, was assiduous in her attempts to soothe her, and to induce her to omit her frequent visits to the grocery, and remain at her own house.

Early in the morning of the 25th of May, 1853, she entered the grocery, and purchased a quart of beer. Some two hours after, she sent her gardener over, to borrow two dollars, and immediately followed him, demanding the cause of his delay. At eleven o'clock she again made her appearance, announcing to Mrs. Lanagan that she was overwhelmed with trouble, just having received a telegraphic dispatch, bringing the information that her husband had been injured by the cars—an announcement, however, which was disregarded, it being one of her usual imaginations, with which the family had become familiar. She passed through the grocery into the back room, where several loungers had assembled ; and forgetting the story of her injured husband, and suddenly relieved of her distress of mind, became immediately engaged

with them in a loud and angry conversation. Through the persuasions of Mrs. Lanagan, she was finally induced to retire. At one o'clock in the afternoon, she again returned, and found Lanagan, his wife, and Catherine Lubee, at dinner. Accepting their invitation, she sat down with them, and after partaking of a slight repast, proposed to repay their kindness, by treating them to beer at her expense. Two tumblers were accordingly filled—into which she put some sugar—and were drank by Lanagan and the girl. She excused herself, with the remark, that she "didn't feel like taking any at present," and passed immediately out of the grocery, without any further conversation. Two hours afterward, Timothy Lanagan and Catherine Lubee were seized with mortal sickness. The newspapers of the next day contained the following announcement:

HORRIBLE—DOUBLE MURDER BY POISONING.

The upper part of the city was thrown into a state of great excitement yesterday, by the startling report that two persons had been poisoned, and that both would probably die from the effects. Before seven o'clock, P. M., the truth was partially realized by the death of one of the victims, and, at an early hour this morning, by the death of the other. The supposed murderer, a Mrs. Robinson, who undoubtedly flourishes under an *alias*, was, during the evening, arrested in the street, near the Mansion House, by Officers Sayles and Burns, night policemen, and committed to jail. Coroner Bontecou was

soon after called, and an inquest held over the body of the man, and, after taking some testimony, adjourned until this morning.

We were unable to get the evidence before the coroner, as the jury have not, as yet, rendered their verdict. The stomachs of the deceased persons have been taken charge of by him for analyzation. We give the particulars of the horrid affair, as near as we have ascertained them. We learn that the supposed murderess, Mrs. Robinson, had been in and out of the grocery of Mr. Lanagan, the murdered man, a number of times during yesterday, and in the forenoon wanted to borrow some money. She was refused, and left, but returned in the afternoon, when she was evidently laboring under the effects of strong drink.

About one o'clock she called at the grocery for the last time, and asked for beer. Lanagan's wife brought it into the back room, with two tumblers. Mrs. Robinson then asked for some white sugar, which was supplied her in a saucer. She took the saucer and walked across the room a number of times, and then poured out the beer into the tumblers, and put the sugar into it. She then invited those present to drink. Timothy Lanagan and the murdered girl, Catherine Lubee, both partook of the beverage. Mrs. Lanagan refused. The girl remarked, immediately after drinking it, that it did not taste good, and asked the woman, Robinson, what she had put in it. She replied, "Nothing but what will do you good; do not spit it out."

The girl was soon after taken sick, and died at five o'clock this morning. The man died at the hour above mentioned. He left his store to go down street soon after drinking the fatal draught, was taken ill on the way, but managed to get back home, where he soon breathed his last.

Timothy Lanagan kept a grocery store on the corner of Rensselaer and River streets, was thirty-seven years of age,

and has left a wife and four small children. The girl, Catherine Lubee, was unmarried, and aged about twenty-five years. She resided in Albany, but had been on a visit here some weeks. Her acquaintance with Mrs. Robinson, who pretended to be her friend, had been short. We learn, also, that no quarrel had existed between Mrs. Robinson and Lanagan, except some words that passed on his refusing to give her liquor, on a previous occasion.

Mrs. Robinson, alias ——, the supposed murderess, lived nearly opposite Lanagan's, in a cottage adjoining the residence of O. Boutwell, Esq., on the north. She is twenty-five or thirty years of age, good looking, and has a foreign air. She claims to be French, but is undoubtedly English by birth. Her manner of late has attracted the attention of the neighborhood. She has manifested an ungovernable spirit, resisting all efforts to restrain her, and has frequently threatened to use her revolvers, with which she is well supplied.

Her house was well furnished, and she has been reported as having plenty of money until within a short time. Since her imprisonment last night, she appears rather excited, and does not seem to realize her situation. She was searched after her arrest, and her pistols taken from her, as it was thought she might commit suicide.

CHAPTER VI.

MONOMANIA—HER APPEARANCE IN JAIL—RAVINGS—FEARFUL FANCIES—THE CARD FROM THE SEMINARY—CURIOS PHILOSOPHY—PUBLIC CURIOSITY—THE ATTEMPT AT SUICIDE—THE ARRAIGNMENT—APPEARANCE OF THE PRISONER—MAGNIFICENT APPAREL—THE LAW'S DELAY—THE NEW INDICTMENT—NEWSPAPER COMPLAINTS—THE GRAND JURY “SOLD”—CONTRADICTORY REPORTS—INTENSE EXCITEMENT.

WE have now followed this unhappy woman in her mad career, from the palace to the prison. Her history, thus far, has been strange and melancholy, but there are other scenes through which she is destined to pass, equally marvelous and exciting.

An impartial and intelligent jury, after a long and patient investigation of testimony, has pronounced otherwise, yet it is impossible for us, with the additional light which a knowledge of her previous life and subsequent conduct throws upon the question, to resist the conclusion, that the woman is now, and was, at the time of the murder, a monomaniac. The jury were not aware, when they rejected the plea of insanity and declared her guilty, what grievous causes had excited her to desperation; causes sufficient, it would seem, to drive her into madness. At that time, in the language of her counsel, in his opening address to them, “she had utterly refused to disclose her life and character, her family and connections.” They

saw only what the testimony permitted them to see, a woman mad, it is true; but according to the evidence—ignorant as they were of the exciting sources of her derangement—it appeared to them but the unjustifiable madness of intoxication. Could her troubled life have been revealed to them; withal, could they have foreseen her subsequent history, it is possible the verdict might have been different. At all events, for the honor of her sex, and of human nature, it would be well, if the fact of her irresponsibility could be established.

On reaching the jail she appeared bewildered and confused. Her remarks were disconnected, and, to use the expression of a witness, "she seemed irritable and sullen." The most of the day following her incarceration, she sat perfectly quiet in her chair; but whenever she did move, it was with an impulsive and spasmodic motion. When informed that the funeral cortege was bearing the dead bodies of Lanagan and the girl, Lubee, to the grave, she seemed unable to comprehend it, and only replied to the information with the expression that it was "queer."

During the second night of her imprisonment, however, she became impressed with her old idea, that she was in danger of being subjected to violence. She raved to such an extent, that the officer in attendance at the jail apprehended that she might endeavor to destroy herself, and accordingly placed himself in a position where he could watch her movements.

She was alone in her cell, and not aware of the presence of the officer. Through all the long hours of the night, she passed from one side to the other of her room, calling aloud for the watch and the police, saying, she would be killed.

During the succeeding day, she was visited by a well-known gentleman of the city, and in the course of their interview, she explained the imaginary causes which had so fearfully excited her. We are unable to reconcile her chimerical explanation with the idea of a sound mind. "I went into the cell," said he, "where she was confined, for the purpose of conversing with her, and she told me she was going to be killed; that they had tried to kill her the night previous. I asked her who? She said a mob of two or three hundred persons had broken into the jail during the night, and just as they got to the door the sheriff came and stopped them; 'but,' she said, 'I shall be killed, for a man and woman up town have caused a complaint to be entered against themselves, in order to get in jail next to me, and during the night they heated a cauldron of boiling water, came to my cell, broke it open, began to abuse me, and gave me a choice, either to get in or they would put me in.' She said she told them she knew she had got to die, and if they would not abuse her she would get in; but just at this time a noise was heard at the door, and they ran away. Immediately placing her hands on her dress, she said, 'Don't I look shabbily?'

and began to laugh. During the relation of this story, her eyes were distended, the pupils very much dilated, and she had a wild and frightful look."

In this manner she continued to conduct herself, battling nightly with imaginary enemies, her brain apparently thronged with a thousand absurd fantasies. In the meantime, a whisper was creeping through the city, that she was the daughter of a distinguished and wealthy family of Quebec, and a former pupil at Mrs. Willard's seminary. This originated from the fact, that strangers, who, it was ascertained, had arrived from Canada, had made frequent visits to the jail, exhibiting a singular anxiety in her behalf, and also from the fact, that she always appeared to be well supplied with money after their departure.

The public curiosity was still more excited by a very singular card, over the signatures of the principals of the seminary, which appeared in the Troy Daily Whig, of July 9th, 1853.

The philosophical portion of this communication was, that Mrs. Robinson could not be the person which rumor had represented, for the reason that the kind feeling existing between the principal and all those to whom she had imparted instruction, was of such a character, that, had Mrs. Robinson ever been a pupil at the seminary, she would necessarily have applied there in her extremity. This might all have been very true and very logical; nevertheless, it en-

tirely failed to be conclusive. On the other hand, it had the tendency to confirm the very point it labored to dispute. Among other things, the card went on to say, "It is said Mrs. Robinson is beautiful and accomplished, and has asserted she was formerly a pupil of the Troy Female Seminary, and a Miss Wood, of Quebec. As the Misses Wood were well known in the first families of Troy, with whom this woman also pretends an acquaintance, the story hence originated that the murderer was one of that family, although no human beings are less likely to have committed the crime for which she awaits the action of the law. * * * * Fearing from the New York papers, that this report will be copied into those of Great Britain, we feel it our duty to come forward at once with a denial. * * * * Of the four beautiful and amiable daughters of the late Mr. Wood, who were pupils of the Troy Female Seminary, every one married, and are now living in Great Britain, and are all allied to eminent families. Their brother, Mr. Wood, is now in Troy, having come to sift this injurious report," &c.

In this card, there were three vulnerable points, which subjected it to general criticism and suspicion. The first was its assumption that she would have applied at the seminary, and the remarkable reason given for it, which we have omitted to transcribe, but which is substantially stated above. The second was, that it alleged that she had represented herself to be

a Miss Wood, when the fact was well known — to repeat once more the assertion of her counsel, made long after — that “she utterly refused to disclose her life and character, her family and connections.” And the third was, if Mr. Wood knew his four sisters were married and residing in Great Britain, it was remarkable that he should give himself the trouble of coming from a distant part of Canada “to sift the injurious report.” From this time, until recent developments have conclusively settled the matter, the question, “Who is Mrs. Robinson?” became an interesting and fruitful subject of discussion.

In her rational moods, as the summer advanced, Mrs. Robinson became sad and melancholy, fully comprehending, at these times, her wretched condition. She declared herself weary of life, and expressed an apparently sincere and earnest desire for the rest and oblivion of the grave. The curiosity caused by the publication of the card from the seminary had not subsided, when the attention of the community was again directed toward her, by the intelligence that she had attempted suicide. The Troy Daily Times, of July 25th, 1853, under the head of home matters, announced the particulars of the affair in the following manner :

“Mrs. Robinson appears to have a penchant for poisoning, so that even her duress has not overcome it, as is shown by her recent attempt to destroy herself, by a method somewhat similar to that with which

it is alleged she 'took off' Lanagan and the girl. We learn, at the sheriff's office, that on Saturday last, at noon, when her dinner was taken to her cell, she was observed to be asleep, but that not being an unusual circumstance, she was not disturbed. About four o'clock, P. M., it was discovered that she had been vomiting, and that the matter discharged had a bluish appearance. Upon being interrogated by the sheriff, the woman acknowledged she had taken a considerable quantity of vitriol, for the purpose of destroying herself, alleging that she had seen trouble enough, and was tired of life. By the efforts of Dr. Adams and Brinsmade, who were immediately called, she was revived, so that to-day she feels quite well, except a soreness occasioned by severe retchings. It is not known certainly by what means she obtained the drug. Possibly she took it to the jail with her, but that is not probable. It is quite as reasonable to suppose that she was indebted for it to persons from without. It may readily be imagined that there are those who have sufficient reason for desiring her to reach her last account by a shorter route than the oyer and terminer. However this may be, we are informed she broods continually over her sad condition; and that when she read the announcement in the *Times*, that she would not probably be tried at this term of the court, she expressed herself dissatisfied, and intimated that she desired her

fate fixed at once ; that she did not want to live, and that life was a misery to her."

The intimations thrown out in this article, that there was a probability that the poison had been secretly conveyed to her, by those anxious to avoid the publicity of a trial, even at the sacrifice of her life, increased the impenetrable mystery that hung around her, and gave to the case a still more tragical complexion.

Mrs. Robinson was arraigned on the 10th of October, 1853, one term of the court having passed after her arrest, without proceeding with her trial. She entered the court room splendidly attired, but so closely veiled that no one was able to catch a glimpse of her features. The indictment having been read, to which she pleaded "not guilty," the district attorney moved that additional jurors be drawn and summoned for her trial. This motion was resisted by the counsel for the prisoner, on the ground that the woman was so deranged that he had been unable, until quite recently, to converse with her, so as to be prepared to conduct her defense. The district attorney, however, urgently insisted that the case should be disposed of—that public interest and justice demanded it, and that the reasons presented for a further postponement, were specious and insufficient. After listening to argument, and the reading of affidavits, the court finally granted the request of the prisoner's counsel, and remanded her back to prison. In commenting upon her appearance, and the post-

ponement of the trial, an evening paper of the city used the following language: "The law loses half its restraining power by these delays in its operation. Not unfrequently justice is entirely defeated. If there is or has been insanity—which has come to be such a common plea in murder cases—a trial can alone establish the fact. We shall see what we shall see.

"The woman Robinson was richly dressed in court this morning. She was veiled, so that we could not get a view of her countenance. She wore a low-neck, splendid black silk dress, with rich lace undersleeves, a blue silk-velvet mantilla—a very rich and costly article—a dashing display of jewelry, &c. Her 'outfit' must have cost two or three hundred dollars.

"On being remanded to jail, she walked off, accompanied by the sheriff, with firm and elastic step, and in a manner indicating that the pride of the woman is still there."

At the February Oyer and Terminer, 1854, held at Troy, the counsel of Mrs. Robinson announced their readiness to proceed. The district attorney thereupon stated he would be unable to determine as to the course he should adopt at the present term, until after consultation with his associate. On the assembling of the court the following morning, the Hon. Henry Hogeboom, of Hudson, who represented the attorney general, stated to the court, that he had advised, in the case of Henrietta Robinson, the procurement of new indictments, not deeming it safe for the

people to proceed to trial upon those already found, on account of their being defective in several material points. It was thereupon arranged that the district attorney should proceed to draw up new indictments as soon as practicable, and the cause was consequently postponed until the succeeding term.

The great length of time which had elapsed since the commission of the crime, the various postponements which had been obtained, and other incidents connected with the case, had created an impression throughout community, that secret and powerful influences were at work to prevent the trial ever taking place. This feeling found expression through the public journals in such articles as the following, which appeared in the Troy Times of the 22d April. "The circuit court, and court of oyer and terminer, Judge Harris presiding, will commence its adjourned sitting on Monday. There are some twelve or fifteen prisoners in jail who are to be tried on indictments for high crimes—among others, Mrs. Robinson for murder. We have heard some doubt expressed, however, whether this woman is to be tried at this term. If this trial is again put over, we shall endeavor to learn the *true* reasons, and the public shall have the benefit of those reasons. All attempts to bring this woman to trial appears to be in vain. She has been confined in jail nearly one year; a heavy bill of expense to the county is run up on her account; new indictments have been obtained—and yet there is no trial. If there

is to be more trifling with justice in this matter, the people demand to know why it is, and we shall endeavor to give them the reasons, if any can be found."

The enormity of the crime with which she was charged, her attractive personal appearance, and withal, the mystery that enveloped her origin and previous career, drew crowds of persons to the jail. Very few, however, gained admission to her room, and those who did, rarely had the satisfaction of beholding her face. On all occasions, in the presence of visitors, she wore her veil. Mrs. Robinson was not so absorbed, however, in the contemplation of her approaching trial, as to be insensible to a joke, and accordingly we find her perpetrating a trick at the expense of the grand jury, which created no little amusement. The *Times*, from which we have quoted above, gave an account of the affair, in its issue of April 27th, under the caption, "The Grand Jury Sold." It ran as follows:

"As usual, the grand jury at the close of their session to day, visited the jail for the purpose of seeing its inmates. They visited the different apartments and found every thing clean and in good order. Finally, the jailor, Mr. Hegeman, offered to conduct them to the room of Mrs. Robinson, in compliance with their particular request, as each one of them was very anxious to see her. The door was opened, and the jury with much dignity walked in. They surrounded a large rocking chair in which she sat closely

vailed. Some of them very politely requested her to withdraw it. She made no response whatever, but sat perfectly silent and motionless. Their anxiety was so great, that they requested the jailer to remove the veil, which he respectfully declined to do. Finally, one of the jury stepped up and removed it himself, when to their very great surprise, no Mrs. Robinson was there, but on the contrary a silk dress neatly stuffed, after the latest Parisian fashion! The bird had flown—where? The jailer was asked if she had escaped. Search was instantly made. A slight ‘titter,’ at length, was heard proceeding from under the bed. The curtain was raised, and there she lay so full of laughter, that she could hardly contain herself. There is considerable method,” added the editor, “in this woman’s insanity, surely.” What increased the joke considerably, was the fact that “one of the jury,” feeling punctured in his official dignity, made the affair the subject of a grave newspaper communication, denouncing it in very ludicrous, but decided terms, as “discourteous conduct.”

From the day of her arrest, indeed, we may say from the day she arrived in Troy on her return from the city of Quebec, in pursuit of employment, through all her paroxysms of intoxication or insanity, she never revealed her real name. The reports in regard to her being the daughter of a deceased gentleman of Quebec, did not originate with her. The intimations contained in the published card from the sem-

inary, that she had claimed such relationship, were incorrect. On the contrary, it seemed to be her controlling purpose and determination, to prevent the possibility of recognition, and to hide from the world all knowledge of her former history. To all inquiries and importunities on this subject, she either answered evasively, or refused altogether to reply. In this purpose, beyond all question, she was sincere. Up to this time, and until long after her conviction, she was evidently firm in the resolution—in case she was required to expiate her offenses by an ignominious death—"to die and make no sign."

A thousand contradictory reports were circulating through the city in regard to her, but they were vague, indefinite and unsatisfactory. She was a mystery, a problem, which nobody could unravel or explain.

Various articles appeared in newspapers in different sections of the country, pretending to identify her. At one time she was represented as a Mrs. Campbell, who kept a drinking house in one of the suburbs of Quebec, and afterwards ran away in the company of a cab-driver. On the other hand, it was declared by a correspondent of the *Times*, that she was the daughter of a Dr. Robertson, of Montreal, who died nine years before in the lunatic asylum, at Hudson, N. Y., while an Albany paper intimated that she was the daughter of an Irish gentleman of rank, and had been disinherited for marrying the son of her father's steward.

All this was peculiarly calculated to excite curiosity, and as the day of trial approached, the interest became intense. It formed the general topic of conversation and discussion. Wagers were made upon the result of the investigation about to take place—some contending she was insane—others, that however guilty, there were secret causes at work which would prevent a conviction. But the great absorbing question in the mouths of every body was, “who is she?”

The trial commenced on Monday, the 22d day of May, 1854, Judge Harris presiding, Justices Burdick and Newberry associates, and occupied the remainder of the week. The facts developed by the testimony of witnesses, the incidents occurring during the progress of the cause, the grounds assumed by counsel on both sides, the impressive charge of Judge Harris to the jury, and their verdict, it will now be our object, in succeeding chapters, to report.

CHAPTER VII.

FIRST DAY OF THE TRIAL—ENTRANCE OF THE PRISONER—HER DRESS AND APPEARANCE—EMPANNELLING OF THE JURY—OPENING ADDRESS OF THE DISTRICT ATTORNEY—ADJOURNMENT OF THE COURT—SECOND DAY OF THE TRIAL—TESTIMONY OF DR. ADAMS—THE VAIL—TESTIMONY OF DR. SKILTON AND SEYMOUR—MRS. LANAGAN—THE VAIL AGAIN—WILLIAM H. OSTRUM—UNVAILING TO THE WITNESS—THE CROWD IN THE STREET.

JUDGE HARRIS and his associates having taken their seats upon the bench, the court was opened in the usual manner, and the trial of Henrietta Robinson, upon the indictment charging her with the murder of Timothy Lanagan, being moved, the district attorney, Mr. Anson Bingham, and Henry Hogboom and George Van Santvoord, Esqs., appeared on the part of the people, and Job Pierson, William A. Beach, Martin I. Townsend, A. B. Olin and Samuel Storer, Esqs., as counsel for the prisoner.

As soon as quiet was restored, Judge Harris directed the sheriff to conduct Henrietta Robinson, the prisoner, into court. She made her appearance presently, accompanied by the sheriff's officers, and took a seat near her counsel, inside the bar. Her face was covered with a heavy blue vail. She was magnificently attired in black, wearing a finely worked collar and undersleeves, a white shirred bonnet, ornamented with artificial flowers, overhung

with the veil, white kid gloves, and a rich black mantilla lined with white satin. She at first manifested considerable uneasiness, but in a short time assumed an air of the utmost composure, remaining in her seat, motionless as a veiled statue.

The clerk then proceeded to empanel the jury to try the cause. John Cline, of Pittstown, was the first one called, and being asked if he had formed an opinion in regard to the case, replied that he had heard nothing of it except through the newspapers, and had not formed or expressed an opinion. He further declared that he had no conscientious scruples against hanging, adding, "life for life is scripture, and that is what I go for." He was sworn. Some thirty jurors in all were examined touching the fact whether they had formed an opinion, and whether they entertained conscientious scruples in regard to the death penalty. Of these, twelve proved to be entirely unprejudiced, having formed no opinion in the case, and entertaining similar sentiments with Mr. Cline upon the subject of the punishment of death. They took their seats in the jury box, and were sworn.

At this point the officers were directed to preserve strict silence outside the bar, and those inside were requested to keep as quiet as possible, the judge remarking that they were about entering upon an important trial, and he should not suffer the business of

the court to be interrupted by any unnecessary whispering or confusion.

The district attorney then rose to open the case on the part of the people. He said: "Gentlemen, the prisoner at the bar, Henrietta Robinson, has been heretofore arraigned, charged with the murder of Timothy Lanagan, in this city, on the 25th day of May, 1853. She is now here for trial. The crime of murder is well understood. It has but one meaning. It is not necessary, at this time, to read its definition, from the statute. I only purpose, at present, to give you an outline of the facts as they will be established in the course of the testimony we shall produce.

"It will appear that the prisoner, on the 25th of May last, resided in the extreme north part of the city, and had resided there previously, a year or more, keeping house. What her antecedents have been, it is not necessary to inquire, nor do we know. On the opposite side of the street from her house, resided Timothy Lanagan. He occupied a small dwelling, using part of it for his family, and part for a grocery, and had been residing there from the previous October.

"The prisoner and the deceased had no personal acquaintance until the latter moved there. Some two months after this event, the prisoner became a frequenter of his grocery, purchasing there her provisions. Previous to the time we allege the murder was committed, a trouble arose between them in this

manner : she attended a dance at Lanagan's house, and during the evening got into a wrangle with a man, or several of them, in the course of which she drew a pistol upon them. Upon this, she was put out of doors by Mr. and Mrs. Lanagan, and taken to her home. Two or three days afterward she called at Lanagan's house, quite early in the morning, before Lanagan himself was up, and abused Mrs. Lanagan violently. Some time elapsed before she resumed her visits to the grocery, but when she did, it was to purchase articles as usual, and they became apparently on good terms.

"On the 25th of May, 1853, very early, she called at the grocery in the absence of Mr. Lanagan, and purchased a pound of crackers and a quart of beer. In an hour or two afterward she returned, and requested the loan of two dollars. The money Mrs. Lanagan did not have. The same forenoon she returned again to the house, while several men were there, before whom she conducted herself with such impropriety, that Mrs. Lanagan requested her to leave—to go away. She did go, but returned about one o'clock. The family consisted of Mr. Lanagan, his wife, and a young woman at the time visiting there, named Catherine Lubee. These three persons were at dinner. Mrs. Robinson took a seat at the table, and partook of some of the food. While seated at the table, Lanagan left the back room for the grocery, which was in front, leaving the three women about

the table. After they had completed their dinner Mrs. Robinson said, "We must have some beer." The two others declined, but she pressed the proposition, saying, "You must have some on my account." She also requested that they should have some sugar in it. Mrs. Lanagan left the room to procure what the prisoner had called for, and soon returned with sugar in a saucer, and a quart of beer. Upon returning, she found Mrs. Robinson walking the floor, and having a white paper in her fingers. She noticed the paper more particularly from the fact of her wanting to borrow two dollars in the forenoon, and she looked at it to see if it was not a bank bill. * Mrs. Lanagan then poured the beer into the tumblers, but they were not full. Mrs. Robinson insisted that they should be filled. Mrs. Lanagan, upon this, left the room for more beer, and when she returned, she found that the prisoner had poured the sugar from the saucers into the tumblers, and also found a slight powder on the surface of their contents.

"Just at this time, Lanagan, who was in the grocery all this while, called for his wife to come there; she went, and Mr. Lanagan, the deceased, came into the room where Mrs. Robinson and Miss Lubee were. She then stirred the beer in the tumblers, and invited Lanagan and Miss Lubee to drink, and both of them did drink. Mrs. Robinson thereupon left the premises. Lanagan also left, to come down into the city. He soon returned to his house very ill; physicians

were sent for, and he died at seven o'clock that evening, and we shall show, we think, beyond a question, that he died from the effects of arsenic, and that the accused administered the fatal poison.

"We shall also show you, gentlemen, that previous to this transaction, on the 10th of May, the prisoner purchased arsenic at one of the drug stores, and that a quantity of the article was found at her house concealed beneath the carpet; that soon after administering the poison, she left her house, came to Ostrom's drug store, and told them she was charged with poisoning Timothy Lanagan, and that from fumbling round the glasses she had put something in the beer. She was soon after arrested in the streets, charged with the act. It will be our duty, gentlemen, to show, beyond a reasonable doubt, that she did administer the poison, and that she is responsible for the crime of willful murder, of which she stands indicted. Of the nature of the defense I am not informed."

The district attorney having thus laid before the jury an outline of the testimony he proposed to offer, and upon which he declared he should demand the conviction of the prisoner, stated that the witness they desired to call first was absent, and as it was near six o'clock, suggested, if it was the pleasure of the court, an adjournment for the day, which was ordered by the judge.

The next morning, at half past eight o'clock, the

court reassembled. The prisoner entered, still completely veiled, no one as yet having obtained the slightest glimpse of her countenance. She was clad this morning in an elegant plaid silk.

Order being restored, the counsel for the people called Dr. ADAMS to the witness' stand, who testified: I reside in the city of Troy, and for several years have been a practising physician. I knew Timothy Lanagan in his life time, and was his family physician. He is now dead. I do not recollect the day of the month he died, but it was in May, 1853. I was called to see him about three and a half o'clock, and remained with him until he died, about half past six or seven. Dr. Skilton came there after I did, and remained also until his death. Mr. Lanagan died at his residence in the upper part of the city, on the south-east corner of River and Rensselaer streets. It was a small, one story building, not painted. There were two rooms on the first floor—one, fronting on River street, was used as a grocery, the other in rear of it was used for family purposes. He died on a bed in a back room. I know Mrs. Robinson.

Mr. Hogeboom here arose, and asked the court if it would not be proper for the prisoner to remove her veil. It was necessary, he remarked; otherwise they would be unable to prove her identity. Judge Harris replied, that he supposed there would be no objection. It was removed by the prisoner for a single instant, and then replaced.

The witness continued: That is the lady. I knew her some three months previous to this occurrence. She lived on River street, nearly opposite Lanagan's, next north of the residence of Mr. Boutwell.

(A diagram, representing the relative situations of buildings, &c., was here shown the witness, and pronounced correct.)

On my arrival at Lanagan's, I found him vomiting, and, from the statements of the family, supposed he had taken poison. He complained of pain in the stomach and bowels, and a burning sensation in the throat. I do not know, positively, what he died of, but it is my decided belief that he died from the effects of some poisonous substance administered. I could not tell exactly, by the symptoms, the nature of the poison, but they corresponded with the effects of arsenic. I was not present at the post mortem examination.

Lanagan's symptoms were violent, in the extreme; so much so, that I was apprehensive, from the first, that the case would terminate fatally. He told me, himself, he thought he should not recover, but did not ask me what I thought. His expression was, "The villain has destroyed me, and I shall not recover."

Cross-examined by Mr. Beach, one of prisoner's counsel. I gave him hopes—told him I thought he ought not to despair—that he might recover. I was then applying remedies for his relief, but none of

them, as I could perceive, relieved his pain. I cannot speak of my own knowledge, as to the severity of his pains, nor can I say but that they were somewhat modified. Indeed, there were intervals when he did not have so much pain. He continued to take my medicine and I continued to labor for his recovery. His decease was sudden. He continued to help himself in and out of bed, until within half an hour of his death, and to converse until within a few minutes of that event. I do not remember that a minister was sent for, but a short time before he died his mother knelt down by his bedside and prayed. I understand that Mr. Lanagan was an Irishman.

Direct examination by the people resumed. Dr. Skilton and myself conferred with each other, and he also expressed the opinion that he would not recover. I continued of that opinion throughout, because I saw the case was a very aggravated one, the symptoms very violent. In all cases of poisoning there is sometimes less pain than at others. It was previous to his making the remark that "the villain had destroyed him," that I told him he ought not to despair. When I told him he might recover, I did not believe he would. He did not make the remark in relation to the "villain," more than once. The precise expression was, "A villain has destroyed me." I had a conversation with him regarding the origin of his illness. It was previous to his statement that he could not recover.

Mr. Hogeboom, for the people, at this point in the

testimony of Dr. Adams, proposed to prove by him the dying declarations of Lanagan, who could, under the circumstances, have no motive to tell anything but the truth. I consider it a case, he said, where such declarations are allowable in evidence.

The court held the evidence could not be received. If these physicians, the judge remarked, had informed Lanagan he must die, that there was no chance for his recovery, it would have been different. On the contrary, they informed him he might recover. On these grounds the evidence was excluded.

Re-cross-examined by Mr. Beach. I consider the intense pain at the stomach, the burning sensations in the throat, constant retching, severe evacuations, cramps and prostration, as peculiar symptoms caused by poison, and they comprise about all the symptoms. The constant retching and burning sensations in the throat is not common to other diseases. The burning sensation is not peculiar to any variety of poison. In all cases of suspected poison I understand it is customary to analyze the stomach. This is done by the faculty, to satisfy themselves as to the cause of death, and without that, it is my opinion the cause cannot be certainly ascertained. I have had occasion to attend cases of cholera. In those cases there is irritation in the throat, and thirst. I have found in my practice that the recovery of the patient depends much upon the strength of the constitution. Severe retching, sudden prostration, cramps, &c., are decided

characteristics of cholera. Without an analysis of the stomach, from my knowledge, I would not like to give it as a definite opinion that Lanagan died by poison, but I understand the contents of the stomach were analyzed. I have attended his family four or five years. He was a man of vigorous constitution, and so far as I know, regular and temperate in his habits.

Re-examined by Mr. Hogeboom. Mr. Lanagan, ordinarily, was able to attend to his own affairs. I used to meet him or see him about every week. He was thirty-five years of age. The symptoms he exhibited were not those of cholera, and I think I can pronounce with confidence that he did not die of cholera. I have a decided opinion as to the cause of his death, independent of an analysis, and it is such as I have named.

Again cross-examined by Mr. Beach. I cannot positively state the cause of his death. My opinions of the cause, were formed to some extent from the statements of the family, but I arrived at a satisfactory conclusion in my own mind, aside from those statements. Judging from the symptoms alone, in cases of this character, I should be willing to express my belief that they were produced by poison, but it is the general opinion of medical authorities that no sure reliance can be placed on external symptoms, and therefore, as a usual thing, the stomach is analyzed. I do not know as I have ever heard or read of a case of poisoning in which analysis was not had.

DR. J. A. SKILTON was next called by the prosecution, and gave the following testimony :

I have been for a number of years a practising physician, and reside in this city. I saw Timothy Lanagan on the day he died. I arrived at his house about five o'clock. A great number of people were there. He was in the back room ; his appearance was somewhat livid, his pulse very feeble, and he was rolling and writhing on the bed in a manner indicating intense pain. He was constantly retching and vomiting, and complained of severe pain in the stomach and throat. I believed then that Lanagan had been taking mineral poison ; I believe it now, and I speak with confidence on the subject. After seeing him, I had little hopes of his recovery. I recollect his saying once that he could not live, but he did not state in my hearing anything as to the cause of his illness. I was present when he died, and also present at the post mortem examination. That examination showed the stomach highly inflamed in patches, and, in some parts more than others. No chemical tests were applied on that examination, to prove the presence of poison. The appearance of the stomach corresponded with the opinion formed as to the cause of his death. There was found in the lower part of the stomach what appeared to be a white powder, and in the intestines there was a greater quantity of mucus than usual, mingled with mineral substances. The external appearance of the polar or larger intestine, was

singularly whitened or blanched. The white powder was enveloped in mucus, and was not tested there. Arsenic is a white powder, and looks like flour. I have no doubt as to the cause of Lanagan's death, and, as a professional man, I fully believe the poison administered in his case was arsenic. The coroner's jury was present at this examination, and Dr. Seymour was examined. In medicine, the symptoms he exhibited are so sure as to leave the physician no chance to doubt. I do not admit that I could be mistaken. Beck's Medical Jurisprudence asserts that it is not safe, in case of poison, to come to a determination until chemical tests are applied to the matter found in the stomach. I mean to testify, that, by a single examination, I can, satisfactorily to myself, determine whether death is caused by mineral poison. The most prominent medical authors, on this subject, are Guy, Christison, Beck, and Orfelia. I assign the reason Beck took the position he did to be, he considered jurors were not physicians. It is true, there is more certainty when the chemical test is applied. In this case, I am not certain there was a chemical analysis. At the post mortem examination, the stomach, &c., were taken out, and given in charge of Dr. Bon-tecou. No symptom of vegetable poison came under my observation.

DR. WILLIAM P. SEYMOUR, sworn: I have been for six years a practising physician in Troy. I did not see Timothy Lanagan on the day of his death,

but was present at the post mortem examination. Dr. Bontecou and myself made the examination the day after he died, in the afternoon. Dr. Skilton was also present. The stomach evinced all the evidence of severe and acute inflammation, and contained a small quantity of fluid. I discovered the presence of a white powder distributed in the lower part of the stomach. I can say nothing as to its specific weight. I considered the yellow appearance in the intestines as a mere discoloration. The whole stomach was highly inflamed, so much so as to cause death. I give that as my personal opinion. The appearance of the stomach exhibited the effects of an irritating poison, but whether vegetable or mineral, I will not attempt to say. There is no doubt whatever in my mind, from that examination, that Lanagan died from poison. Dr. Bontecou took charge of the stomach, &c., and placed it in a clean jar. In another jar was the stomach of a woman, said to have been poisoned at the same time. The inflammation was not necessarily produced by poison, but I have no doubt it was. There was no other evidence of disease, except the inflammation. The powder was entangled in a thick mucus ; I do not think there was a teaspoon full visible.

MRS. ANN LANAGAN, the wife of the murdered man, was now called as a witness. She appeared much enfeebled, and at an early period in the day had nearly fainted in her seat. A considerable time

elapsed before she became sufficiently collected to answer the questions propounded by her counsel. At length, however, she was sworn, and said :

Timothy Lanagan was my husband. Before his death we resided on the corner of River and Rensse-laer streets, and had resided there from the previous October. He died on the 25th of May, 1853. About two months after going to that place, I became acquainted with Mrs. Robinson. She lived near me, across the street, next to Mr. Boutwell's. I saw her, the first time, on the 25th of May, about six o'clock in the morning, in our grocery. No one except myself was there. She called for a quart of strong beer and a pound of soda crackers, which I furnished her, and she took her leave. At this time my husband was not out of bed.

I saw her again in the grocery that morning, about eight o'clock, as nearly as I can judge. An old man by the name of Haley, who lived with Mrs. Robinson, was there when she came in. She had sent him over for the loan of two dollars. She asked the old man what kept him so long. I answered, that I had delayed him; that I had no money in the house, and that I thought I would send and see if I could not borrow it. She asked, was I so scarce of money? and I said, yes. She said she was sorry, and that to-morrow she would lend me a hundred dollars. She then turned and went away.

I saw her again about eleven o'clock. She came

into the grocery, and told me she was in great trouble ; that she had a telegraph dispatch a few minutes ago, that Robinson was hurt on the cars. A man stood by, who told her not to fret ; that he had a wife out west, and if she was dead he would n't fret about it. She then turned away from the counter, and walked into the kitchen. There was a lot of men sitting inside there. Soon after she went in there was loud talking, and I could hear Mrs. Robinson's voice above the rest, but did not understand what was said. My husband was in the city at that time. I went to her, and advised her to go home ; told her that it was no place for her to be, among such a lot of men. After a while she left.

I saw her again that day, about one o'clock. She came through the grocery into the kitchen, where my husband, Catherine Lubee, and myself were at dinner. Catherine was stopping with me at that time, having come from Albany on a visit. Mrs. Robinson said, as she walked in, "Are you at dinner!" I said, "Yes." There was an egg on the table, and pointing toward it, she asked, "Whose egg is that?" My husband replied, "It was hers, if she wanted it." She took the egg into her hand, and my husband arose and went into the grocery. She then sat down by the table and ate the egg, and I peeled a potato for her. She said, when she was done, that Catherine and I must have a glass of beer from her. I told her I did not want any ; that I was tired of

beer, and would not take it. Catherine likewise made answer that she did not like beer. She then asked me if I had any sugar in the house. I said we had, but that I thought she did not need any, as she had got nine pounds during the week. She said she did not want to take it home, but wanted it to put in the beer, to make it good. I took a saucer, and went into the store and got some white, powdered sugar. After bringing the sugar into the kitchen, I went out again, and brought in some beer in a quart measure, and poured it into two glasses. When I came in from the grocery, Mrs. Robinson was walking back and forth across the floor, with the saucer in her hand. I did not have enough beer to fill both glasses, and Mrs. Robinson said she should have them full. I went out into the grocery for more, and when I returned she was putting the sugar into the tumblers, and I poured in the remainder of the beer. As I sat down at the table to take my glass, the other having been placed before Catherine, I noticed a little foam on the surface of the beer, and thought it was some dust from the sugar. I took a teaspoon in my hand to skim it off, but she took the spoon out of my hand, and said, "Don't you do so; that is the best of it." At that moment my husband called me, and I went into the grocery, leaving my beer untasted on the table. My husband then went into the kitchen, saying he wanted to go down town as far as Morrison's. I turned round toward the door, and saw he had ta-

ken my glass of beer in his hand, and was just putting it to his lips. Nothing further was said, and Mrs. Robinson left immediately. I did not see where the other glass of beer was, when my husband stood with his in his hand.

I do not know as to Catherine Lubee's drinking, any further than she told me. Mrs. Robinson did not drink herself, to my knowledge. When she was eating the egg and potato, I observed a white paper in her hand. As she passed out through the grocery, I had no conversation with her, and she said nothing to me. After she left, and before leaving to go to Morrison & Lord's, my husband stopped to make some charges. While doing so, I stepped into the kitchen, and saw the glasses standing on the table empty. In a few minutes after I had returned into the front room, Catherine came to the door, and asked Mr. Lanagan how he felt after taking that glass of beer, to which he made answer that he did not seem to feel very comfortable.

I cannot state the precise time my husband left for Morrison & Lord's, but he came back, as near as I can remember, at three o'clock. After he left, and before he returned, Mrs. Robinson again came into the grocery. Catherine, at this time, was lying on the bed in the kitchen. She was sick. Mrs. Robinson went to her bedside, and asked her how she felt. She replied, very poorly ; and repeatedly said that prisoner had put something in the beer that sickened

her. Mrs. Robinson answered, she had put nothing in it but what would do her good. I do not recollect any more that passed between them. Mrs. Robinson then came to the counter, and called for a glass of beer. I told her I thought she did not need any. She then turned round to a man who was there, and asked him if he would have a glass with her, but he refused.

At this time my husband came in and laid down on the sofa. He was very bad, hardly able to speak. I asked him if he was sick. He replied, run for the doctor; I am done for. I turned round to Mrs. Robinson, who was standing near, and said, "What have you done? you have killed the father of my children." She answered, "No—I have done no such thing." She then attempted to go over and speak to him, but I put my hand against her, and told her to go away. Lanagan's mother presently came in, and helped me put her out of doors. As she attempted to approach my husband, while he was lying on the sofa, he put up both his hands, and said, "Go, woman, go." Soon after she left, I received a message from her to go over to her house. The old man, Haley, brought it, saying it was from Mrs. Robinson. I told him I should not go. She did not come back after she was put out of doors. I did not see her afterward.

The question was then asked, "Do you see her now?" Shrouded in her long vail, as the prisoner was, the witness was unable to reply. An attempt

was here made to induce her to remove it, but failed. She only drew it the closer round her, and utterly refused. It was intimated that this refusal to be seen answered the purpose of identifying the prisoner. Her counsel stated that her vailing was entirely beyond their control; that there were reasons, other than a repugnance to be the object of observation during this trial, why she desired to conceal herself. Those reasons the court knew nothing about, but the counsel understood them. Mr. Hogeboom remarked that he did not intend to be tenacious in the matter, and the witness proceeded.

After Mrs. Robinson left the grocery, my husband became so ill, that we had to take him in our arms and lay him in the bed. Catherine had left the house, and gone to James Lanagan's, in the meantime, where she died. He was our first cousin, and lived not far from our house.

I was crying, and my husband told me not to grieve; that I must make the best of it, now that he "was done for." Before the doctors came, he said he thought he could not get well. He died at a quarter to seven o'clock that evening, and Catherine Lubee died at five o'clock the next morning. I saw her dead. She died at the house of James Lanagan, and was attended by Drs. Skilton and Adams. A French clergyman, whose name I forget, and who is not at present living in town, was sent for by Mr. Lanagan's mother, and was with him before his death.

The offer to prove the dying declarations of Lanagan was now renewed. The court said, "I do not think it will answer."

I recollect a disturbance at our house, in which Mrs. Robinson was concerned. It was on the occasion of a dance. I told her to go home. This was two months before his death.

The witness was here asked what Mrs. Robinson had done at the dance that made her tell her to go home. The prisoner's counsel objected to the question, and argued its impropriety and illegality, at length, apparently anxious to avoid the development of testimony that might disclose a motive for the commission of the crime. Judge Harris thought it was proper to show any unkindness of feeling, even at this time. He held, therefore, that the question might be answered.

The witness continued. I told her so, because a young man asked her to dance. She refused, and insulted him. This occurred at the door leading from the grocery into the kitchen. I did not hear what was said, but she drew her pistol, saying she had been insulted, and threatened to blow his brains out. My husband came, and said he would not have such a noise, and that she must leave. I went to her and told her to go home, and went along with her to her own door, advising her that if she would keep in her own place nobody would molest her. In the course of the night she came to the outside door of the

grocery again, but did not come in. She knocked, and asked of the person who opened it, if Smith was there. Smith went out, and I heard nothing further of them.

I cannot say whether it was the next morning or two mornings after the dance, that Mrs. Robinson came to the grocery and abused me very much. She said I was a mean woman, and kept rowdies in my house to insult her; that she would have us turned out of the place, and would not let us get any license to sell. I told her I wanted no trouble with her; to go home; but she still kept talking, and my husband got out of bed in the back room and told Mrs. Robinson he would not have such a noise, and that she must leave the house. She said she would not leave the house for him, and asked if he wanted to turn so good a customer as she was out of doors. He said he did not want her custom, but wanted her to leave. She said she would not leave, and that if he wanted to turn her out, he would have to get a constable to do it. I told him to go inside and I would endeavor to send her away. In a few minutes she left.

When I went into the grocery with the saucer after the sugar, I got it out of a small box where it is usually kept. The box, and sugar that remained in it, were taken in charge by the coroner that night. Previous to the 25th of May, and before drinking the beer, my husband was in the enjoyment of good

health. The beer was of the same kind and quality that we were retailing at the store daily.

Cross-examined by Mr. Pierson.—I first saw Mrs. Robinson at our grocery, about two months after we moved into the place; she came to trade. She continued her trade down to my husband's death. We were on good terms with her until the morning she came in to abuse us. I cannot say what month the dance was. It was in the spring, but I do not recollect whether it was cold or warm weather. There was no snow on the ground. Dances were not very frequent at our house. We have had none since that time. The Smith I speak of, was the only strange person there. The rest were my friends. We had music, but I forget whether it was a fiddler or a fifer.

Since my acquaintance with Mrs. Robinson, I have occasionally visited her, and so have my children. My eldest boy is thirteen, the next is nine, the other seven, and the girl eight. After the dance I was on good terms with Mrs. Robinson. She stayed away some time, but came back again. I did not feel unfriendly toward her, when I told her to go home, neither did she manifest any unkindness toward me. She was at our grocery nearly every day until the occurrence at the dance, when she remained away about three weeks. She kept an account with us, but always paid her bills when requested. She owed us fourteen dollars at the time of my husband's decease,

part of which has since been paid. She was in the habit of borrowing money of us, but always returned it again. I cannot say how much her trade amounted to in a month. On the morning she sent the old man for the loan of two dollars, I had the money in the house, but did not want to let her have it. I am not in the habit of lying, but I told Mrs. Robinson I did not have the money. What I told her was not much lying after all, for the reason, you see, I did not want to refuse her, neither did I want to let her have it. Besides, the old man, Haley, told me he couldn't imagine what she wanted the money for, because she had every thing in the house that anybody could want. I testified at the coroner's inquest that there was no cause of emnity between my husband and myself and Mrs. Robinson. I said nothing at that time about the difficulty at the ball.

At the time of the poisoning, when she called for the beer, and Miss Lubee and myself said we did not wish any, she declared she would not leave the house until she had it. We never had any arsenic in our house, nor had I ever seen any. I was just about to drink the beer when my husband called me. I did not about this time drink a glass of brandy and water, nor did I say, that having become tired of beer I would take some brandy. Miss Lubee had been at our house seven or eight days at the time of this occurrence. She was twenty-five years of age, unmarried, and resided in Albany, when at home. She

stopped during the day with me and went to Mr. James Lanagan's at night, as I had no bed for her. Mrs. Robinson knew Miss Lubee; became acquainted with her at our place, and they conversed together on friendly terms. Once she came for Catherine at our house, and afterward I went to hers and accompanied her home. This was about a week before my husband's death. The box from which I got the sugar, was open, and stood inside the counter, but within the reach of any one.

Mrs. Robinson was invited to partake of the beer by Miss Lubee, but said she didn't feel like taking any at present. If Mrs. Robinson drank of the beer, and was afterwards sick and vomited, I did not know it. I do not recollect that Haley, when he brought me the message to go over to her house, said she was sick. The paper which Mrs. Robinson had in her hands was white, and she held it between her fingers. It was clean white paper, and whether it was folded or rolled up I cannot say. I was not with Catherine when she died. The names of the men with whom Mrs. Robinson had the angry talk, in the back room, in the forenoon of the day my husband died, were William Buckley, Pat Gaven, and others. I do not know what they were doing. Can't say they were playing cards, but they had something to drink. I had known Catherine Lubee about three years. She had before visited us in Troy, remaining with us thirteen weeks, caring for a sister who was in a dying

way. I heard, but cannot tell from whom, the day following the murder, that Mrs. Robinson was sick. I knew she was in jail.

Having given the foregoing testimony, Mrs. Lanagan was permitted to retire from the witness' stand, when WILLIAM H. OSTROM was called on the part of the people, and being sworn, gave the following evidence.

I am a druggist and reside in Troy. That was my business during the month of May, 1853. My store was on the corner of River and Federal streets, near the bridge, considerably south of the residence of Mrs. Robinson. I knew a Mrs. Robinson at that time, and should now know whether that was her, if she would raise her vail.

Mr. Hogboom. "I submit, your honor, we shall have to try that vail experiment once more." At this remark there was much excitement in the court room, and it was some time before the officers could restore order.

The court said: "If the prisoner prefers it, she may step forward to where the witness is, and unvail herself to him alone."

Mrs. Robinson arose, walked rapidly toward the witness, ascended the platform, and placing her face close to that of the witness, drew aside her vail, but only for an instant.

That is the lady, sir, said the witness. She was in my store several times in the month of May, 1853,

and purchased arsenic there. It was between the 10th and 25th of the month, and the amount she purchased, as near as I can recollect, was two ounces. She was also at my store about half an hour previous to her arrest on the evening of the 25th, at which time I had a conversation with her. I found her there very much excited when I came in from tea. She said she was in trouble; that she had been charged with poisoning a couple of persons, mentioning Lanagan's name, for one. She said she supposed it was out of revenge, because she would not lend them a hundred dollars; that she did not want to draw that amount of money out of the bank in the absence of Mr. Robinson. She declared she was very much in fear of the neighborhood, and requested my advice as to what she should do to be protected. I referred her to the chief of police, and informed her that it was his duty to send a posse of officers to protect her, if necessary. She had a revolver with her on that occasion. I probed it with the handle of a pen, and found at least one barrel loaded. There were three or four percussion caps on the hammer of the pistol, but the lock was so rusty that I doubt if it could be fired off. I think the cap was good on the barrels loaded; at least, the one I probed was in good order.

About ten o'clock on the Saturday evening previous to the arrest, she was also at my store, and had her pistol with her.

On her visit on the 25th, she said she had gone over to the grocery in search of her gardener, and that while there she was about drinking beer with Mrs. Lanagan and others; that there was some confusion in handling the tumblers, and that Mr. Lanagan was taken sick, and they had accused her of putting poison into the beer.

Cross-examined by Mr. Beach. I furnished a written statement of the transactions I have related, about the time of the meeting of the first grand jury after the arrest was made. I can state that one of the barrels of the pistol was charged, but cannot state that more than one was. I think the rust on the other caps rendered them useless. I first spoke of her calling on the chief of police for protection. She did not voluntarily give me the pistol. I requested it, and she handed it to me promptly. She said she wanted the arsenic to kill rats; that she was living in the vicinity of Boutwell's mills, where they were abundant. This was voluntary on her part, while I was putting up the article. I think she purchased it within two or three days of the 10th of May. Within an hour after purchasing the arsenic, she called again, and appeared to be very much excited. I never noticed anything peculiar in her appearance except on this occasion, and when she called the evening of her arrest. This last time she seemed fearful and restless. She looked around her, apprehensively, and did not appear like the same woman, either in dress or

manner. She was very nervous, and was not in one position any length of time, but walking about, all over the store. I had noticed in her former visits that she had the air and appearance of an accomplished lady. On the evening of the 25th, her dress was in disorder, and her language more bold. Only on one occasion previous had I noticed this change in her appearance, and that was on the Saturday evening when I saw a revolver, or the muzzle of one, in her dress.

To Mr. Hogeboom. On this Saturday evening, judging from her flushed countenance and excited manner, I have no doubt she was laboring under the effects of liquor. I cannot say she was in liquor at all on the 25th, because there were other reasons which might have caused her excitement on that occasion. I mean the accusation. The arsenic I sold her was rolled up in two white papers, and both were labeled "poison."

To Mr. Beach. On the Saturday I speak of, her excitement, mode of dress, flushed countenance, and language, led me to the conclusion that she was intoxicated. Her language was not as polished, not as good, as formerly. Her having a revolver, was another reason that led me to that conclusion. She made use, however, of no vulgarity. The excited state of her mind, and the flush in her face, might have been produced by other causes than liquor. They might, undoubtedly have proceeded from a deranged mind,

connected with a diseased state of the person; but I pretend to have no particular knowledge of the symptoms occasioned, in mind or body, by mental excitement, not superinduced by liquor.

To the Judge. At the time she returned to the store, after purchasing the arsenic, I noticed she was flushed in the face. She was usually of rather florid complexion.

DR. SKILTON, *recalled by the people.* I saw Catherine Lubee at James Lanagan's, in North First street, some twenty minutes after I first saw Lanagan. I was with her about ten minutes at this time, and saw her again immediately after Lanagan's death. Her symptoms indicated that she had taken mineral poison. They were similar to those of Mr. Lanagan, but differed in degree. I was present at her post mortem examination. That examination exhibited the same thing as the other case—death from mineral poison. No chemical tests were applied. Judging professionally, I have no doubt she died from mineral poison, and that the poison was arsenic. It is not the general custom of physicians, in such cases, to analyze the contents of the stomach. It is their custom to do it when ordered to. I have had some familiarity with cases of poisoning. The coroner generally orders the stomach analyzed in cases of murder, and, in fact, I do not remember an instance where it was not so ordered.

Dr. Skilton having concluded his testimony, the

court ordered an adjournment until the following morning ; and thus closed the second day of the trial of Henrietta Robinson. Throughout the investigation, the court room was filled with an immense audience, a large proportion of which were ladies. The prisoner generally walked from the court house to the jail, accompanied by the sheriff's officers. She expressed much anxiety to have them keep at a long distance in the rear, but in this particular she was not gratified. So intense was the anxiety to obtain a sight of the prisoner, that the street through which she was obliged to pass in going to and returning from the court house, was crowded with spectators.

CHAPTER VIII.

THIRD DAY OF THE TRIAL—UNSUCCESSFUL ATTEMPT TO REMOVE THE VAIL—TESTIMONY OF THE POLICEMAN—THE COTTAGE SEARCHED—DISCOVERY OF THE ARSENIC—ARRIVAL AT THE JAIL—TESTIMONY OF BURR LORD—THE CORONER'S EVIDENCE—ANALYSIS OF THE POISON—THE VAIL, AGAIN—THE CORONER'S VISIT TO THE JAIL—THE PRISONER SEARCHED—THE QUESTION OF INSANITY—PROFESSOR DAIKIN'S TESTIMONY—THE PROSECUTION CLOSE—THE EDITORIAL ARTICLE—THE CARD FROM QUEBEC—WHO IS THE VAILED PRISONER?—THE MYSTERY INCREASES.

At half past eight o'clock the following morning, the officers having called to order, and the jurors answered to their names, Justice Harris said : "Before this trial proceeds further, I have a word or two to say. We have thus far proceeded in this case, with the prisoner masked. The singular spectacle is here presented, of a person on trial, charged with a high, capital crime, whose face neither the court nor jury have ever seen. I admit it is a matter of ceremony ; nevertheless, it is the form prescribed by law, in cases of this character, that the jury shall look upon the prisoner, and the prisoner upon the jury. It is repugnant to my feelings to try a person under these circumstances. It does not appear to me to be proper ; and, therefore, however much I regret the necessity, I feel it to be my duty to require of the prisoner, that during the remainder of this trial she sit unvailed."

Mrs. Robinson rose from her chair, and, raising her veil, said, in a clear, earnest tone of voice, "I am here, your honor, to undergo a most painful trial—not to be gazed at," and immediately replaced the veil, and resumed her seat.

"It may be a hardship," continued Judge Harris, "but it is not one for which the court is responsible. I shall use no coercion, Mrs. Robinson, but unless your veil is now removed, so that the jury can see your face, I shall regard you as refusing compliance with a just and reasonable demand of the court.

Mr. Beach arose: "We have advised, your honor, with the prisoner, and earnestly urged and entreated her to comply with the suggestions of the court; her reply to us is, that rather than sit unvailed, she would choose to incur any hazard, however great, and endure all possible consequences. The court, therefore, will perceive, that her counsel are powerless in the matter.

The prisoner continued to sit vailed. There was a slight pause—a dead silence for a minute or two—during which time all eyes were turned toward the masked figure, when the judge ordered the counsel to proceed.

CHARLES BURNS was then sworn, and testified: I reside in Troy, and was an officer in May, 1853. I arrested Mrs. Robinson. The arrest was made at a cabinet-shop, next door to Clark's drug store, near the Mansion House, between six and seven o'clock of the

day the alleged offense was committed. When I went in, she asked me if I was a police officer, and I told her I was. I arrested her, and conducted her to the jail. On the way, we laughed and joked. She said nothing, whatever, in relation to the murder. I visited her house, afterward, in company with Officer Bowman, Dr. Bontecou, and Nathan Camp. We found no person on the premises. We entered by the front door, she having given me the key. We searched the house from the garret to the cellar, and found, under the corner of the carpet, done up in a piece of white paper, a quantity of arsenic. It was found close to the wall, near the head of a bed, in the middle room, and was taken in charge by the coroner, Dr. Bontecou. The carpet was tacked down.

When I arrested Mrs. Robinson, I found on her person a couple of revolvers, which were also taken charge of by the coroner. Two barrels of one of them were loaded. She refused to deliver them, and Mr. Price, the sheriff, George Kennedy, and myself, took them away from her. This was at the jail. I found, also, in her pocket, a small piece of white wrapping paper; but there was nothing in it, and I threw it away.

Cross-examined by Mr. Beach. I did not observe particularly what she was doing in the cabinet-shop, at the time of her arrest. I did not see her do anything there. We walked to the jail. On the way, she excused herself for appearing in the dress she wore,

by saying it was a muddy, rainy day. She talked somewhat lightly. When I arrested her, she inquired if I was going to take her to the recorder's office; and I replied, yes. After taking her into custody, we passed down Albany street to Fifth, and from thence to the jail. This course was nearly opposite that leading to the recorder's office, but she made no remarks in regard to it.

The carpet was nailed down over the paper of arsenic that we found at her house. There was a paper of Spanish flies, a box of jewelry, a watch, and a locket, also found there. The pistols we took from her at the jail looked pretty rough. She carried them in her bosom, and resisted giving them up.

At this point, Mrs. Robinson bent forward and whispered to her counsel. Mr. Beach, addressing the witness, said, "The prisoner is anxious to know what has become of that locket." The witness replied, "I have not seen it, nor the key to the house, since I delivered them to Dr. Bontecou."

On the way to the prison, when we reached the corner of Ferry and Fifth streets, I pointed to the jail, and told her that was the place. I suppose she thought it was the court-house. There was quite a party of boys standing on the corner, and she asked me to let her walk up the hill a little way, while I should stand on the steps. I allowed her to do so. Her object was, as I understood, to avoid being seen entering the jail with me. She walked on as far as

the first brick house, then immediately returned and passed into the hall of the jail. She seemed quite surprised when she found where she was.

Direct examination resumed, by Mr. Van Santvoord.
When I went into the cabinet-shop to arrest the prisoner, I said "Good day" to her, and that was all I said before she inquired if I was a police officer. The corner opposite the jail, where I said the boys were standing, is known as Murphy's Corner. She passed the jail about half a block, but not out of my sight. She did not state why she wished to walk past the jail, but I understood her object. Neither was her surprise, on being informed where she was, expressed in words. She looked startled, but said nothing. I do not know how long she has resided in the city, and never saw her until that day.

BURR LORD, called by the prosecution, testified: I am one of the firm of Morrison & Lord, grocery and provision dealers, at 399 River street. I knew Timothy Lanagan in his life time. The last time I ever saw him was at our store, the 25th of May last. He was there twice on that day; the first time, about nine o'clock in the morning, and the second time, between one and two o'clock in the afternoon. The last time, he came down to examine some beef, as I supposed, but did not purchase any. He remained but a few minutes, saying he was sick, very sick, but did not state the nature of his illness. His face had a deathly appearance. His eyes looked bad, and his

lips were blue and livid. He left the store and went toward home.

REED P. BONTECOU, sworn: I am by profession a physician, and have been in practice about nine years. I reside in Troy, and during the year 1853, was coroner of the county of Rensselaer.

I held an inquest over the body of Timothy Lanagan, on the evening of the 25th of May last, the day of his death. A verdict was rendered by the jury. On the following day I made a post mortem examination of the body, at the house of the deceased, in the presence of the jury, Drs. Skilton and Seymour, and quite a number of other persons. I was associated with Professor Daikin, in making an analysis of the stomach. I took it from the body myself. It was analyzed during the latter part of May and first of June, by the application of chemical tests, with the view of ascertaining the substance it contained. We found poison in the stomach, and the result of several different tests proved it to be arsenic. We found forty grains in the intestines, which had passed through the stomach, a sufficient quantity to produce death. Arsenic is poison, and I can state professionally, that he died of arsenic.

I took charge of a box of sugar, pointed out to me, by Mrs. Lanagan. It was fine, white sugar, and stood on one of the shelves in the store, behind the counter. I saw no other box of sugar there, and was informed by Mrs. Lanagan that it was all there was in the house.

It contained, perhaps, three or four pounds. I kept it in my possession until the time of the analysis, when Professor Daikin and myself tested it for arsenic. There was none in it. In this analyzation, we applied the proper tests for discovering the presence of arsenic. The sugar contained no foreign ingredients whatever. Professor Daikin is a professional chemist; I am not.

I tested the beer at Lanagan's by drinking it. It produced no unpleasant effect. It didn't kill me. There was no poison in the beer. Mrs. Lanagan drew it from the only barrel there, and some of the coroner's jury, and others, drank of it. No injurious effects were produced.

I had never seen Mrs. Robinson previous to this transaction. She resided in a cottage with white pillars, nearly opposite Lanagan's. I visited the house, and found a great many things in it, such as are usually to be found in dwellings. We found arsenic there. It was in the back parlor. There was a bed in this room. The arsenic was in the south-east corner, under the carpet, between the bed and the south wall. It was wrapped up in a paper, somewhat soiled, and as near white as may be. It had been fumbled, and was not done up regular, in apothecary style. There was one drachm — about sixty grains — of the arsenic. I took possession of it. It was tested, and found to be arsenic, and was the same package that is now here in court.

On the 25th of May, I saw a person named Catherine Lubee, alleged, also, to have been poisoned. I saw her at the house of James Lanagan, a relative of the deceased, about nine o'clock in the evening. I took the coroner's jury there, for the purpose of taking her evidence. She was sworn on Lanagan's inquest. I took her evidence in writing. She was lying in bed at the time, and appeared ill—sick at the stomach. She vomited, and called for water, but I do not remember that she complained of a burning sensation in the throat. It was my professional opinion at the time, judging from what she told me, and not alone from appearances, that she had been poisoned. [The last statement was objected to, and ruled out by the court.] I examined the stomach of Miss Lubee, after death, in company with Professor Daikin, and found in it arsenic, of sufficient quantity to produce death. I do not know that, at the time I saw her, she had hopes of recovery. I told her she would recover, and thought so at the time; but the prevailing impression about the room seemed to be that she would not. I approached the bed, put my hand on her pulse, and spoke a few words to her, in which I said I thought she would recover. She replied that she was very sick. I did not change my opinion before I left, and communicated no different opinion to her from the one I first expressed. I held an inquest over her body, at nine o'clock on the morning of the 26th of May. The post mortem examina-

tion of Miss Lubee was made before that of Lanagan. The arsenic found in the stomachs of both these individuals was of the same kind I found under the carpet, in the house of Mrs. Robinson.

Cross-examined by Mr. Pierson. The tests spoken of were conducted principally by Professor Daikin. Mrs. Robinson was not, to my knowledge, in attendance at either of the coroner's inquests. I first saw her in prison, after nine o'clock, on the evening of the 25th. I conversed with her in the jail.

The question here arose as to the state of the prisoner's mind at this time, and the admissibility of testimony touching it.

The court said: "It has been already intimated, in the progress of the trial, that aberration of mind was to be relied upon in the defense. I regret the necessity of alluding to the subject again; but if such is to be a part of the defense, the prisoner must unvail her face, so that it can be seen. The countenance, oftentimes, indicates more truly than anything else, the state of the mind. If the prisoner now refuses to remove the vail, it will be my duty, however painful it may be, to order the sheriff to do it by force. I trust that will not become necessary."

Some little time elapsed, when she raised her vail, but still concealed her face from observation by her fan.

The judge continued: "The position of the prisoner must be such that her face can be seen by the

court and jury, and this request shall be complied with."

After much hesitation, she finally withdrew her fan, exposing her face to the jury, and appeared in a smiling mood. Her countenance was visible only to those directly in front of her, and to the jury at her side. She remained, however, in this position but a short time, before she again partially drew the vail over her face.

The witness proceeded : I have seen many individuals who were insane, and pretend to be capable of judging of a person's sanity. When I saw her at the jail, on the evening of the 25th, she was much excited. At that time she was not rational. It would be difficult to describe her accurately. There was a strange, wild, unnatural appearance of the eye. She laughed, and her answers to questions were not pertinent. She was attired in a Jenny Lind sort of short gown, a loose dress, the upper part not attached to the skirt below. Her person, however, was not exposed.

I took from her, on that occasion, her keys, and went to the house where she had resided. There I found the arsenic as before stated ; and by the side of the arsenic, under the carpet, I also found a box of jewelry. The jewelry consisted of a watch and chain, a locket, breast pins, cuff pins, ear rings and many articles of that description.

I next saw and conversed with Mrs. Robinson in the jail, the day following. The state of her mind was

much the same as the previous evening. She appeared strange and unnatural. I did not consider her rational. Her answers to my questions were unsatisfactory, and I was unable to obtain the information I desired. My business was to consult her in relation to her furniture. I remarked at this time, also, a wildness in her eyes. In her gesticulations, I discovered nothing peculiar. She was seated when I entered, but left her chair and walked to the window before I came away.

I saw her frequently during the fortnight subsequent to the arrest, was in the habit of visiting the jail for that purpose two or three times a week, and was always impressed with the idea she was not sane. I told her once that I heard Lanagan and Miss Lubee were dead. She took no notice of the remark, and as far as I could judge, did not know what I meant. On another occasion, during the second or third week of my visits, I charged her with poisoning those persons. My expression was: "You know you poisoned those people, and I want you to tell me all about it." She made no answer, but went on chattering away with the same incoherent jumble she usually had over. She did not, as far as I am able to judge, comprehend what I was saying; and on all the occasions to which I refer, from the beginning to the end, I am satisfied she was not a rational woman. The jewelry belonging to her I gave to Dr. Hegeman.

Direct examination resumed by Mr. Hogeboom.

My visits to Mrs. Robinson, at the jail, extended through two or three weeks, and possibly longer. I was not employed to attend her. She may have once requested me to call on her, but I do not now recollect it positively. I have never been paid for my visits. I continued my visits only so long as I had charge of her property. After I had relieved myself of the care of that, they ceased. I never in my life saw her previous to the evening of her arrest.

I have been called upon to see insane persons, and those supposed to be insane, and to testify in regard to their sanity, but never have been called upon to treat them medically. I have never had a patient in my charge for the treatment of insanity. Since I have been in practice, my residence has been constantly in this city, with the exception of a year, during which time I was in Brazil, South America.

I have been called upon to inspect some twenty or thirty cases of persons supposed to be insane. They were not charged with crime, nor were they in hospitals, but they were cases occurring in private practice. I have been called upon to testify before a judge, in order to obtain for them admission into the lunatic asylum. They were not all, however, cases of this description. Some of them subsequently became inmates of the alms house. Some of them I inspected twice, but most of them received but a single examination. I am thirty years of age.

On my first visit to Mrs. Robinson at the jail, on

the evening she was arrested, the officers of the prison, two or three police officers, and, it may be, some other persons, were present during the interview. I told her I had come to search her person. I forget the reply she made, but she was laughing at the time. She made some reply, however, irrelevant to the subject. I did search her person. She offered no resistance, but facilitated the search, by standing passive and raising her arms. When I entered the room, I remarked I had come to search her. She was on the opposite side of the room, but what I said was audible, and as I approached her, she elevated her hands in the manner I have mentioned. I cannot now recall distinctly any other remark I made to her at that interview.

She was singularly dressed, but this was not one of the reasons which induced me to believe she was laboring under an aberration of mind. It was the wild and unnatural appearance of her eyes, and the strange, unusual expression of her countenance. When a person is terrified, the eye and countenance will assume such an appearance and expression. It is also more or less the case with persons in liquor, and after the use of liquor, upon the approach of delirium tremens. Insanity is, also, sometimes simulated. I do not now recollect of ever having seen a person who feigned insanity. I have read periodical publications on the subject of insanity, but not recently, and have never made it a particular study. I

entertain the impression that it is laid down in standard works, as not difficult to distinguish between real and feigned insanity, yet there are cases, I believe, where it requires a close and long examination to discover the difference.

During my visits, the longest period I remained with Mrs. Robinson, at any one time, was twenty minutes; they were not usually longer than ten or fifteen minutes, though I will not swear positively on that point. On one or two occasions, I was either informed by the jailer, or she told me herself, that she was ill. I cannot, at this moment, recall the jailer's name, nor state the particular interview at which this information was received. I did not prescribe for her at that time, nor did I visit her at all in a professional capacity. Having the keys of her house, and the custody of her property, my visits were solely of a business character, having reference to her affairs. At our first interview, I came to the conclusion she was irrational.

Question by counsel. "Will you inform us what inducements led you to visit a crazy woman two or three times a week about her property?"

Answer. There were no inducements held out to me, sir. I had the keys of her house. Whether she handed them to me voluntarily, or I took them from her pocket during the search, I do not now remember. On my first visit I did not inquire in relation to her property. When I first spoke of the keys, she

made no reply, but kept on talking and laughing. There was nothing about the transaction of obtaining the keys, particularly, that produced the impression in my mind that she was not rational. The precise remarks she made, in reference to the keys, are forgotten. She did not request me, at that time, or any other person in my hearing, to bring down her apparel from the house, as I can recollect. I have forgotten entirely the details of our conversation.

At the second interview, something was said about her property on my part, but she said nothing in regard to it. I cannot state the substance or the subject of her observations on this occasion ; I only remember she was moving about the room, talking and laughing incessantly. Neither can I say who was there. I think, however, either the sheriff, or Dr. Hegeman, his deputy, was in the room, or near it. I was inside. My impression is, that the door was unlocked. She did me no bodily harm.

It was at a subsequent interview that I remarked that Lanagan and Miss Lubee were dead. She made some observation in reply, but it had no reference, whatever, to the subject. I cannot say what it did refer to. She did not seem shocked or startled in the least, nor was there the slightest change in her countenance at what I said.

One day, subsequently, I told her that Mrs. Lanagan had called on me, and requested the return of some articles belonging to her, which were at Mrs.

Robinson's house. They were some cooking utensils and a bonnet. I inquired if I should give them up. She looked at me inquiringly, and said, "Why not?" This was the only allusion she ever made to me in regard to Lanagan or his wife. The articles were asked for as belonging to Mrs. Lanagan. So far as that answer was concerned, I regarded it as both pertinent and rational.

At other interviews, she talked about dresses. I cannot recall distinctly what she said. I do not, by any means, consider a person insane who talks about dress. It is a reasonable topic of discourse. But I regarded her remarks at the time, irrational, because they were wholly disconnected from the subject of conversation.

I sent down dresses to Mrs. Robinson from her house, either in pursuance of her own request, or of some one connected with the prison. It is barely possible that I may have sent them of my own accord. It was not in consequence of the irrational remark about the dresses. She said nothing to me in relation to the jewelry. Dr. Hegeman, the deputy sheriff, was my successor in charge of the property. I delivered him the keys of the house, but it was not at his or her request, or at the request of any other person. It was voluntary.

On the occasion I told her she knew she had poisoned those people, it seemed strange to me that it did not effect her person or manner. A sane person, I

should imagine, would say something pertinent in regard to such a matter. It did not seem strange that she did not admit the charge ; that was not an evidence of the absence of reason. On the other hand, I should suppose a sane person would be rather inclined to evade the question ; nevertheless, it is still singular that she did not say *something* about it, either one way or the other.

To Mr. Beach. In the course of my medical practice, I have often had patients temporarily feverish and delirious. My practice in the city has been tolerably extensive, so much so, at least, that I have managed to get a living by it. For ten years I was associated with Dr. Brinsmade in business, and, of course, have repeatedly had occasion to consult with him.

At my first interview with this lady, the expression of her eye did not strike me as that of drunkenness, nor her face indicate a state of drunkenness. In the course of my several visits, my especial attention was directed to the condition of her mind. Partial alienation of reason is one of the most common forms of insanity. I have a clear and distinct recollection, that Mrs. Robinson's observations were not at all responsive to the questions propounded to her. Uniformly, when I saw her, she appeared in a laughing humor, and was full of levity. This mood, with her failure to reply pertinently to the most simple and direct questions, the wildness of her eyes, the eccentricity of her man-

ner, and the strange, unnatural expression of her countenance, were among the reasons which drove me to the conclusion that the woman was irrational. I am not aware that she had access to stimulating drinks after her incarceration.

PROFESSOR FRANCIS E. DAIKIN, of Albany, sworn:
I am by profession a chemist, and as such, have been in the habit, for several years, of analyzing various substances. I conducted the analysis of the contents of the stomach of Lanagan and Miss Lubee, in connection with Dr. Bontecou, at his residence. The result of that analysis was the discovery of arsenic. We applied five or six different tests, each terminating in the same result. We discovered a sufficient quantity to produce death. The contents of the stomach are in the jar before you. We also analyzed the sugar, applying the same tests, but found no deleterious or poisonous matter in it. It was afterward used by Dr. Bontecou's family. The contents of the paper found under the carpet at Mrs. Robinson's residence, was likewise analyzed, and was found to be arsenic.

The case was here rested on the part of the prosecution. Upon this announcement, the Hon. Job Pier-
son, senior counsel for the prisoner, requested time for consultation with his associates before proceeding upon the defense. The request was granted by the court, and an adjournment ordered until two o'clock.

The extraordinary efforts at concealment adopted

by the prisoner, increased the public curiosity. Who she could be, was the wonder of the town. In this stage of uncertainty, at the close of the prosecution, an editorial article appeared in the *Troy Whig*, which was perused with great avidity. We select a few extracts. After alluding to the different attempts in court to induce her to disclose her face, describing her as "*the veiled prisoner*, no less secluded from the gaze of man than was the *veiled prophet*"—it concluded with the following statements :

"It is this question that surrounds this trial with such extraordinary interest, and has given rise to much speculation. It may not be improper to say, that the most current belief now is—not to use a stronger term—that Mrs. Robinson, the prisoner, formerly resided in this city as a pupil at the seminary; that her family was one of wealth, standing and respectability, and resided somewhere near Quebec; that while here she moved in the best circles in our city, as did three sisters who also attended the seminary at different times; that she subsequently married an army officer in Canada, who died; that she then married a surgeon in the army, in the Provinces, from whom she separated; and that she is now here, the veiled prisoner at the bar, charged with the crime of murder. These, we believe, are the outlines of the narrative most generally credited—we may say not doubted from the first by very many. For what reason her identity has been attempted to be dis-

guised, we know not. Shortly after she was arrested, a gentleman from Quebec, or its vicinity, came here, and a statement was put forth to the effect that the prisoner was some other person ; but it is now to be presumed that the representation is not sustained in the public belief.

“Whoever this prisoner is, she has, from the first, possessed the facilities for securing for herself the ablest counsel, and many comforts not possessed by all who inhabit a cell. * * * * During the examination of witnesses yesterday, notwithstanding Judge Harris insisted upon the vail being withdrawn, the prisoner, either by drawing it down entirely, or by placing a handkerchief or fan before her face, to all intents and purposes successfully resisted the wishes and commands of the court. She, for the first time, evinced emotion, and was frequently in tears ; but whether from an apprehension of being recognized by a partial removal of the vail, or from a realization of her real position, we cannot, of course, say.

“The prisoner is twenty-five or thirty years of age, of genteel appearance, and is represented as possessing personal charms of no ordinary character. Whether it is her peculiar fitness ‘to act well her part,’ or the extraordinary character in which she chooses to appear, it is difficult to determine ; but true it is, the drama, as cast, excites the deepest interest.”

This confident statement of the *Whig* in relation to her family and history, was, for a time, generally accepted as conclusive. The article, however, soon reached Quebec, and but a few days elapsed, as will be seen as we progress, before a published card, purporting to emanate from that city, denounced the whole story as a fabrication, in the most positive and emphatic manner. Rumors and speculations were again afloat, and the question, "Who is the veiled prisoner?" was involved in ten times greater mystery than ever.

CHAPTER IX.

OPENING ADDRESS OF THE DEFENSE—THE HON. JOE PIERSON—THE GROUNDS OF THE DEFENSE—ANXIETY OF THE AUDIENCE—ANOTHER EFFORT TO REMOVE THE VAIL—THE TESTIMONY OF THE DEPUTY SHERIFF—CONDUCT OF THE PRISONER IN JAIL DESCRIBED—DESTRUCTION OF THE CHAIRS—THE SILVER CAKE BASKET—EVIDENCES OF INSANITY—TESTIMONY OF THE YOUNG DRESSMAKER—FLIGHTS OF FANCY—THE STORY OF THE DAGUEREOYPE—THE MIRACULOUS CAKE—ADJOURNMENT OF THE COURT.

ON the reassembling of the court, Mr. Pierson arose to open the defense to the jury. The following is a sketch of his remarks. He said :

“ Gentlemen, the defense of a prisoner indicted for the high crime of murder, imposes a painful and onerous duty upon counsel. It is not unknown to some of you, gentlemen of the jury, that in years past I was prosecuting attorney for the county of Rensselaer, and at times was called upon to prosecute offenses of this character. In such trials, having adduced all the legal evidence in the case, I felt that I had discharged my duty. I never have, and in whatever circumstances I may be placed, I never shall, introduce testimony I know to be improper. I have never allowed my professional zeal to overcome my sense of justice, so far as to attempt to introduce, as dying declarations, what were not such. I have never argued captiously with the court, and this I can say, es-

pecially, I have never, in opening an important cause to the jury, claimed that I would bring forward testimony to substantiate alleged facts, and failed to do it.

"In capital cases of this kind, the counsel for the prosecution do not have the same responsibility resting upon them as the counsel for the defense. While public prosecutor, there were, indeed, instances, where, through the adroitness of the opposing advocate, or from other causes, I believed the prisoner was acquitted against the weight of evidence. But if I did not always succeed, in cases where I deemed that justice demanded a conviction, I consoled myself with that benign passage of scripture, which declares that it is better that ninety and nine guilty persons should go unpunished, than that one innocent man should suffer. Let me say further, that none but those who have defended a prisoner convicted of a capital offense, and who has been so convicted when his counsel believed him innocent, can imagine the pangs of one thus situated. I have, in my life, been so situated, and have felt that I suffered more than the convicted prisoner himself.

"We, as counsel, have nothing to expect from this unfortunate woman. In the language of the grand juror's oath, we act neither for reward or the hope of reward. The prisoner I never saw or heard of until the commission of the alleged offense. I was informed why she was in jail—that she was charged

with poisoning two persons. I was told by the officers of the prison that she was insane. I felt it my duty—perhaps it was not—to go and see her. I found her a raving maniac—her mind tottering—her reason dethroned. It was weeks and weeks before I could ascertain from her anything at all satisfactory. I do not ask you to receive what I assert as evidence. I am not going to be a witness; but what I say shall be substantiated by the oaths of men whose veracious characters are far beyond the shadow of reproach. It is my solemn opinion, that she should never have been indicted, and, moreover, that she never would have been, had proper representations been made to the grand jury.

“Indeed, gentlemen, her conduct here in court, which you have all yourselves observed, shows conclusively enough, that she is not ‘clothed in her right mind.’ I do not say or believe that she is now wholly insane, but her mind has lost its balance in a degree. That she was insane, however, in every sense of the word, both before and after the death of Timothy Lanagan, the evidence will be sufficient to convince you beyond a doubt.

“It has been a matter of consultation in this room to-day, between the counsel, whether we should not, at the close of the evidence of Dr. Bontecou and Mr. Ostrom, risk the case with the jury; whether, what they have testified does not take the case out and beyond the language of the indictment, which charges

her with *premeditating* the act which she is here to answer for, and which implies she *knew* what she was doing, and intended to effect these deaths. I need not say, that unless she did it with a perfect mind, and with the intention to destroy life, the charge of murder cannot be maintained against her.

"We know nothing of the antecedents of this unhappy woman. What her life and character have been, who she is, or from whence she came, she utterly refuses to disclose. We know nothing of her friends, family, or connections. All we know of her is, she is a lady of unusual intelligence and highly polished manners. We know, moreover, she is here, charged with the crime of murder, and that is all.

"There are two grounds, gentlemen of the jury, upon either of which, we shall confidently demand at your hands, the acquittal of the prisoner at the bar. One of these grounds is insanity; and I have already said that we did think of submitting the case to you on that ground alone, introducing no other evidence whatever. But then it occurred to us that, in the possible event of her conviction, we should have it to reflect upon through life, that there was evidence we might have introduced, which would have saved our client.

"The testimony of Mr. Ostrom exhibits her in a state of great excitement, and not excited by liquor, either, on the Saturday night previous to the alleged murder. She was also unnaturally excited at the time

of the murder, and the frenzy was upon her when she was arrested. Think of her, laughing and joking with the policeman on the way to jail ! And we shall prove to you, in addition to what has been already testified, that she continued irrational for weeks and weeks after her confinement in prison. Long, long will it be, I trust, before a jury of the county of Rensselaer will convict under circumstances such as these.

"It will be shown, in proof of her insanity, that long before the alleged murder, the prisoner became acquainted with some young women residing in her neighborhood, one of whom was a dressmaker, and that they were at her house occasionally. One of them will testify that previous to this occurrence, the prisoner brought a black silk dress to her to repair ; that first she said it was too short, then that it was too long ; first that she cut it herself, and then that a dressmaker cut it. She told this young woman that her father was a lord, and that she was turned out of the castle because she married a poor man ; and on saying this she cried, and then she laughed, and then she danced. The witness will tell you, also, that after this she met Mrs. Robinson having a daguerreotype and a bunch of flowers in her hand. She said it was the picture of her mother, and that the flowers were gathered in the garden of the king of France ; that her mother died when she was a little child, and that a step-mother was the cause of all her sorrows.

At one time, she declared that she was educated at a nunnery ; at another time, that it was at Mrs. Willard's seminary. On a subsequent occasion, she sought the young woman with revolvers in her hand, with the request that she would accompany her into the city. And again, she called on her at an unusual hour, dressed only in her night clothes and cap, and begged the loan of a dress, to go down after a warrant for some one. She obtained the dress, and left ; but soon returned, arrayed in black satin, thanked the young woman for the favor, sat down, but made no allusion to the warrant. She imagined that she was slandered, and that people were pursuing her ; and you remember, gentlemen, the wild story of her husband being injured on the cars.

" Furthermore, we shall corroborate, by Dr. Hege-man, the deputy sheriff, not only all that Coroner Bontecou has stated, but shall show by him, that for months, after her imprisonment, she was utterly and absolutely insane ; and that this state of mind cannot be attributed to the effects of intoxication, inasmuch as she had no liquor in the jail.

" Previous to her arrest, she was going from place to place, palpably and unmistakably an insane woman. You, gentlemen, may have seen just such persons as she was on that evening. I have now in my eye a juror, who must remember having seen a woman who was long in the habit of wandering through the streets of Troy, singing as she went,

'When I can read my title clear
To mansions in the skies."

That, of itself, was evidence enough to everybody that she was crazed, and no one doubted it. This is a general outline of what we expect to prove, to establish the fact of her insanity previous to, and on the day, of the alleged murder, and for a long time after she was committed to jail.

"We shall endeavor, also, to show you, gentlemen, that she is entitled to acquittal on another ground. There is not a particle of evidence that she put the arsenic in the beer. True, she had arsenic in her house; but there are thousands of houses in Troy where arsenic is kept. Besides, gentlemen—and I appeal to the court to sustain me in what I say—there has never been a case of conviction of murder in this country, where it was not shown that an adequate *motive* existed for destroying the person. What motive was there in this case? None, whatever, under heaven. To be sure, there was the disturbance at the dance, but that was all reconciled, and they had become friends again; visiting each other, and she trading at Lanagan's up to the very morning of the murder.

"In the case of John Hendrickson, after it was abundantly established that he had murdered his wife, his counsel contended that no *motive* had been shown, and the prosecution were obliged, in order to sustain their case, to go into proof as to the estate of

his wife, and his interest in getting rid of her. But where will you find the *motive* in this case? There was none.

"I may be permitted to remark, that there is no human being, whose evidence can give color to the suspicion that Mrs. Robinson put poison in the beer, except Mrs. Lanagan. And what does she say? Why, she saw a white paper in the prisoner's hands. That is all. But the theory the prosecution will ask you to adopt is, that Mrs. Robinson mixed the poison with the sugar, and put the sugar in the beer.

"I desire not to attack the character of any being; but in this matter of life and death, we must look at things as they really are. Who was Miss Lubee? An unmarried girl. Who was Mrs. Robinson? A beautiful woman, residing in the neighborhood, and spending much of her time at the house of Lanagan. Jealousy, gentlemen, jealousy has committed murders as foul as this. But I cast no aspersions. My duty and my purpose is to defend this truly unfortunate lady, and her cause I am not afraid to entrust in the hands of an intelligent jury."

This address was pronounced in an earnest and impressive manner, and with an air of extreme candor. The character of the advocate added weight to the words he uttered. During its delivery, the audience, anxious to learn the line of the defense, bent eagerly forward, as if desirous to catch every tone and syllable that fell from the speaker's lips.

At its conclusion, Judge Harris said : " Before proceeding further, we will make one more effort to go on with an unmasked face. I trust I feel all the delicacy consistent with my position, but I must do my duty, fearlessly and fairly. Notwithstanding all my efforts this morning, one veil was withdrawn and another substituted. As yet, I have been unable to see the face of the prisoner, and I doubt if any one of the jury could identify her out of doors. I know the sting is severe, but it cannot be helped. The jurors and witnesses must confront the prisoner. If she will not voluntarily remove the mask, it must be taken from her."

Mrs. Robinson, after some hesitation, threw her veil partially over her bonnet, and sobbing, bent forward, burying her face entirely in her handkerchief. She was, apparently, much affected throughout the afternoon ; and, notwithstanding the determined order of the court, effectually succeeded in concealing her face from view. The court room was crowded almost to suffocation.

The first witness called by the defense was WILLIAM H. HEGEMAN, who was sworn and said. I have been heretofore a practicing physician, but am now deputy sheriff. I have acted in the capacity of sheriff's clerk and jailer for the past year and a half. (The prisoner here appeared extremely agitated.) I was at the jail at the time the prisoner was brought there ; had never seen her to my knowledge previous to that

time. Since her imprisonment, I have seen her usually three times a day, except on those days when I have been absent. I lodged at the jail during the night of the 25th of May. I first saw her that evening going up the stairs, and once afterwards in the room in which she was confined. On that evening I had no opportunity of observing her appearance, or rather, I had the opportunity but did not improve it. I saw her the next morning in the presence of the sheriff. Her appearance was strange and singular, and her dress was very much disordered. There was an unnatural appearance in her eyes, and her countenance seemed to be expressionless. I had but little conversation with her; enough, however, to discover that she did not at all appear to realize her condition.

Her first night in prison, she remained in the room usually occupied by women. The next morning, the morning of the 26th of May, either myself or the sheriff asked her, if she would not prefer another room. She was then removed up stairs, in the room she now occupies. Her remarks, when she made any, were disconnected; she seemed irritable and sullen. While seated she was very quiet, but when she rose from the chair, her movements were quick and impulsive. At least, such was her manner while I saw her. I do not know how she passed the night of the 26th, but on the night of the 27th, I watched at her cell door. The reason of my doing so was, she was raving, calling for assistance to protect her, and passing violently from

one end of the room to the other. This continued all night. At daylight I went down stairs. Her room was generally locked about eight or nine o'clock in the evening. The first week or two I could draw but little conversation from her. At the time of the funeral of Lanagan and Miss Lubee, I remarked that the funeral ceremonies were taking place. At this time she looked a little sober, and said: "It is queer, is n't it?" but immediately commenced talking and laughing on some other subject. This was all she said on the subject of the funeral.

I endeavored to satisfy myself as to the condition of her intellect. I thought her of unsound mind. She has, however, always exhibited great reluctance to be thought insane.

Since she has been in jail she has destroyed a part of her furniture. Of six sofa-bottomed chairs she has destroyed five. She has also destroyed a table, dishes, and a silver cake basket. She has complained of ill health a good deal since she has been there. I cannot say what the state of her health was at the time of her arrest; I was not her attending physician. She had no intoxicating drinks during the first three or four months of her imprisonment. Since last autumn she has had it as a medicine, by my direction. It was during the month of July or August previous, that it was supposed she would die. I was absent at the time, but returned before her recovery. I was not physician to the jail, and did not attend her in that

capacity. Dr. Adams was her physician. I did not know, from an examination of her condition, what was the origin and nature of her illness.

Cross-examined by Mr. Hogeboom, for the prosecution. My age is twenty-six; have practiced medicine about one year; graduated at the University Medical College, Broadway, New York, between three and four years ago. I have practiced medicine one year, aside from the time I was physician to the jail. I have been the physician there at two different periods. Three months after the termination of the first period, I was appointed deputy sheriff. It was in January, 1853. In October following, I was again selected as jail physician.

I cannot say positively what time it was I saw the prisoner on the morning of the 26th of May. It was in the forenoon, perhaps, between nine and ten o'clock. Her dress was disordered and hung loose about her. It was dirty and muddy, and appeared to have been long worn without being washed. It was a slate colored morning dress. At that time she had no other there. I procured her other apparel at her house; her trunks were brought to the jail. After this she dressed better, when she dressed at all. She frequently, however, wore her night-clothes all day.

There was, at that time, a wild appearance about the woman; it seemed impossible to catch her eye. This is not now so much the case. I should not regard that alone as a sure evidence of insanity; a good

many sane persons have a wild appearance about the eyes, some more than others. I believe the prisoner is now of unsound mind, but not to so great an extent as formerly. I think she has been partially insane ever since she has been in jail. I mean by partially insane, that it was more apparent at one time than another. The appearance of unsoundness to day is not so striking as I have seen it; not so readily observed. I cannot give you the reason of this, unless it is she is more cautious. Her countenance is not now so expressionless as it was when I saw her on the 26th of May. On that day her eye was wild, but I could not gather from the expression of her countenance what she wanted.

I have said I had no considerable conversation with her at that time. When asked if she would like another room, I am not certain she made any response; if she did, it was neither of assent nor dissent, for I well remember I thought it strange she gave no answer. To the question: Do you possess that degree of medical knowledge and skill that would justify you in passing an authoritative opinion as to a person's sanity? the witness answered, perhaps not. I never had, in my private medical practice, but one case of insanity.

We have had three or four cases in jail; one, was a man brought in from the country. Those who brought him, said they could not well take care of him, and wished to have us keep him. The question was not raised as to the insanity of these persons, neither were

they very desperate cases. Irritability and sullenness are not always characteristics of insanity. I do not think that sitting still on a chair, after a person is seated, is very remarkable.

The reason I watched at her door on the night of the 27th, was, that I was apprehensive she might destroy herself. I think I was directed to watch. I have said she was raving. She called on the watch and the police, and said she would be killed; called upon them to protect her. I was outside the door. At this time she had not been supplied with any liquor. She sometimes used snuff. I do not know of any opium being sent to her, nor of her requesting any, nor do I believe she has had any. During her stay in jail she has been supplied with no other stimulants than liquor, as a medicine, and some snuff.

When I spoke to her about the funeral, I do not think I mentioned the names of the deceased persons. My impression is, I said, the funerals of the man and woman who were poisoned is taking place now. The answer she made, was, "It is queer, is n't it?" and commenced talking and laughing about some article of her dress. To the question : How did you arrive at the conclusion that she was very reluctant to be thought insane ? the witness answered, I did not come to that conclusion until recently. Did you communicate to her, that, if on the trial she should be found insane, she would not be discharged, but sent to the asylum ? Answer. No. Only few persons have had access to

her besides myself. I think it was at the last court of oyer and terminer, that I came to the conclusion she did not like to be considered insane. I thought so because she told me so. She did not say she was reluctant to be considered insane, but insisted she was *not* insane.

She broke up the chairs sometime last winter, previous to the term of the court held by Judge Watson. The chairs all belonged to her. She had a rocking chair which she did not break. This was after she was indicted, and after she had been arraigned to answer the indictment. She broke them in pieces and burned them up. She seemed to be mad at something or somebody, but had had no particular difficulty with any person, as I am aware of. She is violent in her temper. In the room she occupied there were two other tables besides the one she destroyed; also a looking glass, wash stand and wardrobe, a bed, dishes, trunks, carpets, &c., which she did not destroy. She endeavored to melt the silver cake basket. I asked her why she destroyed those articles, and she replied they were her own, and she would do with them as she pleased.

I did not prescribe ardent spirits for her daily; when I did, it was sometimes wine, and sometimes brandy. These prescriptions, in all, did not exceed seven or eight in number. It was about six months ago, after I became physician to the jail, that I directed her to be thus supplied, and it was because she

complained of headache and sleepless nights. She never asked for beer. I know nothing of this woman's husband. The liquors that I ordered were the only liquors or wines sent to her room. The sheriff sometimes has the key, and the man who assists us, also has access to her apartment. I know of no little indulgences she has had in the way of liquor. I have prescribed Dovers powders for her occasionally, but opium in any other form I have not prescribed.

Mary J. Dillon, sworn. I reside in the upper part of the city of Troy. I know Mrs. Robinson. Our residence is but a short distance from where she lived. Before she was put in jail, I saw her frequently. My business was dress making. Sometime in the month of March, 1853, she came in and asked me if I did plain sewing. I told her I did. She had a dress she wanted me to repair, and I told her I had so much sewing in the house I didn't see how I could do it right away. She said she wanted it done so bad she would pay me any price. She then told me it was too short in the waist. She had the dress with her. I told her I didn't think I could make it any longer in the waist, and then she said let the waist go as it is, and fix the other part. She told me first she cut the dress herself, and immediately after that a dressmaker cut it. She said that a man and his family who lived next door to her had slandered her; that she was a lord's daughter in Ireland, and that she was turned away from her father's castle for marrying a poor

man. Then she cried. Suddenly something seemed to pass over her mind, and then she laughed, and then danced around the room, saying over something I do not recollect.

At another interview, a short time after that, she showed me a daguerreotype representing a lady with a bundle of flowers. She said it was the daguerreotype of her mother, and that the flowers were gathered in the garden of the king of France. She said her mother gave her the likeness when her father turned her from the castle. At another time she told me her mother died when she was a small child. Once she said she was educated at a nunnery, and again, that she was educated at Mrs. Willard's seminary.

Her father, after he had turned her from the castle, she said, had requested her to come back again, and he would forgive her. She told me he had sent her a hundred and fifty dollars to purchase a single dress to appear in court against Oliver Boutwell for slander, and, while standing on the shore one day, said she could jump into the river and swim until she was tired, and then she had a cork she could put between her teeth, and rest in the water and not sink.

Her house was right on the bank of the river. We saw a boat coming down. She said that boat couldn't pass, because Oliver Boutwell had stopped the navigation. She called to the men in the boat, but they didn't hear her. She had a revolver in her

hand, and began to climb up the rocks on the shore. She got about half way up, and then turned to me and said, "Mary, wouldn't I make a glorious soldier?"

She told me that she was sick at one time, and sent for Dr. Burwell, and that he came and left her a bottle of medicine. She suspected the medicine was poison, and so she went to a neighbor and got a dog, and gave the dog some of the medicine, and he died in half an hour. She then corked up the bottle and threw it in the river, and had to pay for that dog, she said, five dollars.

She was frequently at our house. I recollect her coming there on one occasion, without any outer dress on. It was between four and five o'clock in the morning, about a month before her arrest. She was dressed only in her night clothes and a white sun-bonnet; had on no shawl. She wanted me to lend her a dress, saying she wanted to go down street to buy a revolver, and get out a warrant for Dave Smith, for slander. I let her have my clothes, and she went away with them.

I recollect, also, on another occasion, of her coming to our house, about twelve o'clock at night. It was in the month of March or April, previous to the murder. The family were in bed, but she roused us up. She wanted my sister to go after Dr. Burwell, saying her husband had just come home, and was very sick. She told my sister if she would go, she would furnish her with a revolver, to protect herself,

and pay her quite a large sum of money ; the amount, I forget. My sister declined. Mrs. Robinson then said that her husband was not sick ; that it was not to see him that she wanted the doctor to come ; but that he had been at her house the night before, and insulted her, and she wanted to get a chance to blow his brains out.

I once told Mrs. Robinson to go home ; that I did not want her there. This was about three days before she was sent to jail. She said she would not go, and that she would let me know what authority she had there. I told her again to go ; to go out of the house. I said no more on the subject, and presently she left. A day or two afterward, she came in, and said I had been slandering her, and that she had a warrant for me. I inquired what I had said about her. She made no reply, but came up and kissed me, and asked me to forgive her.

Cross-examined by Mr. Van Santvoord. I reside on the corner of North First and Rensselaer streets, about four times as far as it is across this court room from where Mrs. Robinson lived. I was then living with my father, who is a gardener. He is generally about home. I have an older sister, who was absent at that time, and I was the oldest of the family at home. I am seventeen years of age ; my next oldest sister, now present, is fourteen. I was not acquainted with Mrs. Robinson, until she came to have her dress altered, but had seen her before, going into Mrs. Lan-

gan's. It was a year ago last March or April that she introduced herself to me. I fixed the dress for her. I thought it singular at the time that she should tell me two different stories about who cut the dress.

At this same interview, she said she went into Mr. Galvin's one day, and a man there insulted her, and attempted to lay violent hands on her ; but that she drew her revolver, and bid him stand. She took hold of me the same, she said, as she took hold of the man. It frightened me, but she laughed, and looked so pleasant about it, that I thought little of it afterward. She laughed to see me frightened.

I have seen two or three women when they were in liquor, but cannot say that Mrs. Robinson was intoxicated at this time. I never knew her to drink anything stronger than peppermint cordial. I cannot say whether she had or had not been drinking, at any of our interviews. It was after she came with the dress, and after she showed me the daguerreotype, that she informed me that she was the daughter of an Irish lord.

At the conclusion of the examination of Miss Dillon, whose description of the eccentricities of Mrs. Robinson appeared to be vastly entertaining to the audience, the court ordered an adjournment until the following morning. Thereupon the veiled prisoner was conducted to her cell, the crowd dispersed, and thus closed the third day of this extraordinary trial.

CHAPTER X.

FOURTH DAY OF THE TRIAL—TESTIMONY OF THE BUTCHER—RE-EXAMINATION OF MARY DILLON—THE PRIVATE CONSULTATION—EVIDENCE OF THE POOR-MASTER — APPLICATION TO THE CHIEF OF POLICE — THE CANAL COMMISSIONER—MRS. ROBINSON DISGUISED—JOHN H. KNICKERBOCKER—A NIGHT SCENE IN SECOND STREET — THE JAILER RECALLED — TESTIMONY OF THE LAWYER—THE LETTERS — THE ORDER PROTESTED — CONCLUSION OF THE DEFENSE—THE PROSECUTION RESUMED—THE REJECTED EVIDENCE—PETER COX, THE LIQUOR SELLER—THE TESTIMONY CLOSED.

At half past eight o'clock the next morning, May 25th, 1854, precisely one year from the day the alleged murder was committed, the unknown woman, still veiled, as usual, was placed at the bar of the court, and the prisoner's counsel were ordered to proceed with the defense. They called

ANTHONY GOODSPEED, who was sworn, and said: I am a resident of Troy, and stay in Center Market. I think I should know Mrs. Robinson if I could see her. She came to the market the last day of March, 1853, in the afternoon. She wanted to buy some game, and asked me if we had any. I told her the season of game was over. She said she wanted to get some wild meat. She was there about fifteen minutes, and during that time she asked me for game more than a dozen times. She had a great many questions, turned on her heels, and moved about strangely.

She started toward the door, but suddenly wheeled round on her heels, and said that she had been at the justice's court and taken out half a dozen summonses and warrants for her neighbors ; and that she was going to make fools of them all. We had a frame there, which we used for laying meat on the stall. She placed her foot upon it, and asked me to tie the string of her gaiter. I did so, and as soon as I had tied it, round she whirled, and off she went.

Officers Wells and Phillips were at the door, and they told me it was Mrs. Robinson. She said people were abusing her at the dam.

To Mr. Hogeboom—cross-examined. I did not think she was in liquor. Her gaiter was loose. She did not give me the names of any persons who had abused her, nor say anything about getting men discharged at the state dam. I understood her to allude to the state dam. I do not know who had charge of it then.

MARY JANE DILLON, recalled and further cross-examined by Mr. Van Santvoord : The next day after Mrs. Robinson came to have her dress repaired, I had a long conversation with her. I can't recollect what the immediate subject was that led her to say that her father was an Irish lord. It was a new subject she introduced herself. Her manners were very agreeable, and I was pleased with her conversation, but did not exactly believe her stories.

At this interview, she said besides, "My father was an Irishman ; I was born in Vermont." Before

this she had told me that her father was an Irish lord, and lived in a castle. The picture of the lady with the flowers, which she said was the likeness of her mother, appeared to be that of a woman about thirty years old.

When she talked about her mother's death, and when she showed me the daguerreotype, she cried violently. Then she commenced laughing, and as soon as her laugh was over, she began to dance. It was not exactly dancing; it was not a regular step; she jumped and skipped around. I laughed at the performance. At the same interview, she told me that her father was a *French* lord. She did not tell me the name of the poor man that she was turned away for marrying. Her age, she said, was twenty-seven.

This was the first time I was ever in her house. I remained two hours or longer, and was conversing with her all the time. The reason I stayed so long was, that she wished me to remain. I wanted to go sooner, but she detained me; not by force, but by persuasion. She entertained me with stories.

Her conversation, part of the time, was agreeable and pleasant, as it was at former interviews; and part of the time it was otherwise. During some of the conversation, she was coarse and profane. When I left, she asked me to call again, and I told her I would.

There was no person living in the house with her.

The next day I went to see her again. She came over after me, and I accompanied her home, and remained with her all day. I took dinner with her, and began to feel on pretty intimate terms with her. This familiarity of intercourse continued about two weeks, during which time we saw each other daily, she visiting frequently at our house, and I at hers. The days I passed with her were very pleasant. It was her conversation that rendered it agreeable, although there were some things in it unpleasant. It consisted of such language as ladies do not often use. The character of it was profane, and she uttered some obscene words.

In some of our conversation, she spoke of the man she married; said he was a contractor on the railroad, and that his name was Robinson; and she also told me what her maiden name was, but I do not now remember it.

I said yesterday that I did not think I ever saw Mrs. Robinson drink anything stronger than peppermint cordial. I have, however, seen her drink strong beer, frequently. She drank it at her house the day I spent with her. I have seen her when I thought she was a little intoxicated by strong beer or cordial. I had no thought about her being under the influence of liquor when she called at our house, at twelve o'clock at night. I only thought it was strange conduct.

The dress I loaned her when she came and waked

us up, was muslin de laine. It was not one of my best nor one of my poorest ; it was one I sometimes used while walking in the streets. It was returned uninjured. When she wanted to shoot Dr. Burwell she was very angry ; but just before, when she said her husband had come home sick, she did not appear angry. She did not speak at much length about her husband, and what she said was mild ; but when she spoke of Dr. Burwell, she became profane, and called him bad names. I do not wish to tell what she called him ; it was wicked and obscene. I never saw the doctor at her house.

I did not associate with Mrs. Robinson long after that time. Her associates were the Lanagans. Can't say how long prior to her arrest it was that my intercourse with her was broken off entirely. It was after she came to our house in the night that I told her to go home. When she came back and told me she had a warrant for me, her manner, at first, was very angry. We had no great quarrel, only a little dispute—made it all up before we parted, but I never went to her house again.

I do not recollect who I have seen there during my various visits to Mrs. Robinson's house. I have seen Mrs. Lanagan's sister there, just coming to the door and returning again, and have seen my father there at work in the garden. I saw another man there one day. I do not know who he was ; had but a slight glimpse of his face. He was a middle aged man.

She told me it was her husband, and then again she told me it was the Rev. Dr. Potter, of Albany.

At the time when she cried, and laughed, and danced, and said her father was an Irish lord, I cannot say whether she was in liquor or not, and do not recollect what my thoughts were at the time.

At this point quite an animated private consultation took place between the prisoner and her counsel; during which she made but slight attempts to hide her face. She was very much agitated, and shed tears, appearing to converse with great rapidity. This consultation continued for nearly half an hour, after which she replaced her vail. Her motions and manner were violent, exhibiting great excitement.

EDWIN BROWNELL sworn. I was overseer of the poor in this city a year ago. My office was in the basement of this building. I saw Mrs. Robinson there some time in the month of April, 1853. It was on a Sunday evening. First saw her in the hall of the basement, about half past seven o'clock. Two gentlemen came into the office and said a lady desired to see me. I told them to open the door and ask her to come in. They opened the door, and immediately walked away. I waited a considerable length of time, and heard some one in the hall. It was dark. I then went out and lighted the gas. I then saw a lady, whom I suppose to be the prisoner, and invited her to step into the office, which she did, and took a seat.

The first inquiry she made was, whether she was in the office of the chief of police? I informed her she was not. She then stated she supposed it was in this building. I told her the office she inquired for was near the jail, in Fifth street, and that she would there probably find the chief of police. She apprehended it would be difficult for her to find the office alone, and rather intimated that she wished me to accompany her. I hesitated to go, for the reason that I had some business to close.

She told me what she wanted; said there had been a lot of rowdies about her house; that they had once broken into it, and were going to attempt it again. She wished me to request the chief to send up a policeman to protect her; told me where she lived; in a white cottage with pillars, adjoining Boutwell's residence, in River street. After she gave me this information, I went over to the residence of the chief of police, saw him, and returned. I then had considerable conversation with her, and advised her to go home. The chief of police promised me, when I saw him at his residence, that he would send some one up to protect her, and it was his request that I should try to get her home. She sat there nearly an hour, during which time it rained quite hard, and was very dark, and she would not consent to go unless I accompanied her.

She talked about a great many things; made a great many complaints; complained of rowdies at-

tacking her, and said she had not been well atttended to of late. I asked who had neglected her?

(The witness here paused in the relation of his testimony, and addressing the prisoner's counsel, said he was unwilling to mention names, and would not do so, unless directed by the court. Let us have it, said the counsel for the prisoner, and the court so ordered.)

She replied, _____. She said she had not seen him for a long time, and inquired of me if I was acquainted with him. I told her I was. She then asked if I had heard he was going to marry Judge G.'s daughter, attending the seminary? I told her I had not. She said she was his lawful wife; that she was married to him at his father's house, and he would have to avow it on his return, or she would take his life. She asked me what I thought could be the reason of his remaining away so long. I told her he was probably attending to the "breaks" on the canal. She declared herself devoted to him, and said she had not seen him for weeks.

During all this conversation, she was laboring under great excitement. When I first saw her, I thought she was slightly intoxicated, and did not think she was entirely sober when she left. I imagined she staggered a little when I first observed her in the hall. I may have been mistaken, however, about that, as it might, possibly, have resulted from her trying

to find her way in the dark, but it was my impression all the while that she had been drinking.

I did not know, at this time, where —— was, but was informed he was in Washington. He returned about the first of May. I saw the lady again on the same day he returned, but had no conversation with her. It was about nine o'clock in the evening, on the corner of First and Congress streets. I think she was in disguise. This was about a week after the interview at my office ; my impression is, that it was the Saturday night following. She had on a white sun-bonnet, and was negligently attired in a loose dress. I should not have known who she was, had I not recognized her voice. She was leaning on the arm of an old man, Mr. Haley, and inquiring of a person on the corner where ——'s boarding-house was. The person directed her to Mrs. Brewster's, on the corner of Ferry and Second streets. She passed on, and I have not seen her since.

Cross-examined by Mr. Hogeboom. I have stated, substantially, all the conversation that took place at my office ; perhaps not all the details. She said nothing more, of consequence, in relation to ——, beyond what I have stated.

I judge the interview at my office was in the last of April or first of May, because I gave as a reason for ——'s absence, that he was attending breaks on the canal. The canal opened about the first of May that

year if I remember right. I do not know the gentlemen who introduced her to my office. They were strangers to me, and I thought from their appearance that they were strangers in the city. They transacted no business whatever, and did not announce to me who the lady was.

I went up home with her, to her cottage by the river, as requested by the chief of police. Went into the house, where she showed me a revolver, and two single-barreled pistols. I loaded them for her; she had powder and ball in the house. She showed me nothing in particular about the room, except she pointed to some shirts she had done up. I am not confident she stated whose they were, but my impression is that she said they belonged to ——. This was in a room connected with the parlor by folding doors.

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JOHN H. KNICKERBOCKER, sworn: My boarding place, in the spring of 1853, was at Mrs. Brewster's, No. 102 Second street. I recollect seeing the prisoner on Saturday evening, the 21st of May of that year, between nine and ten o'clock. It was in Congress, between First and Second streets. My attention was drawn to her from the fact of her acting like a very droll woman. She was leaning on the arm of an old man, and walking very slow, indeed. She

asked me to direct her to Mrs. Brewster's boarding-house. After directing her, I followed them down the street as far as the corner of Ferry, and turned down that street a little way, but not so far but I could see Mrs. Brewster's door. The old man went up and rang the bell ; afterward she went up. She then stepped back and met me, and as she met me, she drew a pistol, and said, " You see I am prepared not to be followed, sir ! " I was boarding there at the time.

This was the Saturday night previous to the murder. I had an opportunity of seeing her countenance by gas light, as there was a lamp on the corner where she made the inquiries of me. She was very much excited and unsettled in appearance.

DR. HEGEMAN recalled on the part of the prisoner. Mr. Jennyss came to the jail to see Mrs. Robinson the morning after I had watched at her cell door. It was that morning that she said she had heard people about the jail door grinding knives for the purpose of destroying her, and that she had boiled a kettle of hot water to destroy them. She begged me to assist her. I assured her the adjoining rooms were dark cells, unoccupied, but she declared she knew better, and that there were people all around who were trying to slander her ; that they could not reach her in any other way than by being committed to jail, and entreated me to bring her a revolver, and she would protect herself. I could not convince her to the con-

trary, and left her laboring under the same impressions. She said her persecutors were the Boutwell people, and that they had managed to get into the jail. On the morning of the 28th, the third morning after her imprisonment, she seized hold of me very violently, and, at the same time laughing immoderately, begged I would assist in protecting her. I told her there was no occasion for alarm ; that no one should harm her ; but she again earnestly insisted that she knew better ; and in order to disengage myself, I had to push her forcibly away.

Cross-examined. I knew all these things when I testified before. I have only had two or three conferences with the prisoner's counsel, and yesterday was the first time I had an interview with any of them. I have never conversed with Mr. Storer or Mr. Jennyss on the subject, except, perhaps, I used to tell them, occasionally, when I met them, of her conduct in the jail. I never told Mr. Jennyss, in particular, any of her singular stories. He was there at an early hour to see her, either on the first or second morning after her arrest. I know not by whose request he came. I did not bring her revolver to her when she requested it, nor did she say what the Boutwell people were saying about her. About the time she burned the chairs, she complained that we did not give her sufficient firewood, but did not threaten to burn them if we did not supply her with more. I used to procure for her two or three pounds

of snuff at a time, generally once in a month or two. I have no positive knowledge what use she made of it, but supposed, from the fact that I occasionally saw in the bottom of her wash-bowl a black fluid that looked like snuff, and from the appearance of a tooth brush in her stand by the side of the wash-bowl, that she used it in cleaning her teeth. We furnished her with the usual amount of fuel; nevertheless, she frequently complained of being chilly.

R. C. JENNYSS sworn. I was present at the jail, the day after the arrest, and two or three times subsequently. I heard the conversation between Dr. Hegeman and the prisoner, which he has just related. I also made an effort to have a conversation with her, but she appeared unable to converse connectedly. She was much excited and conducted herself strangely.

The second morning after her arrest I went again to her cell for the purpose of conversing with her, and she told me she was going to be killed; that they had tried to kill her the night previous. I asked her who? She said a mob of two or three hundred persons had broken into the jail, and just as they had got to the door, the sheriff came and stopped them, "but," she said, "I shall be killed, for a man and woman up town have caused a complaint to be entered against themselves in order to get in the jail next to me, and during the night, they heated a cauldron of boiling water, came to my cell, broke it open, began to abuse

me, and gave me a choice, either to get in myself, or they would put me in." She said she told them she knew she had to die, and if they wouldn't abuse her she would get in, but just then a noise was heard at the door, and they ran away. Immediately placing her hands on her dress she said, "Don't I look shabbily?" and began to laugh. During the relation of this story her eyes were distended, the pupils very much dilated, and she had a wild and frightful look. During an interview the following day she told me she should escape from the people who were persecuting her, as the sheriff had agreed to let her out that night, and she felt relieved.

I recollect seeing Mrs. Robinson, some three or four weeks before her arrest, sitting in the recorder's office. At that time her appearance was wild, and her conversation incoherent—so much so, that I expressed an opinion to the recorder, after she left, that the woman was deranged.

Cross-examined by Mr. Hogeboom. I am an attorney and counselor at law in this city, thirty-two years of age, and a partner of Mr. Storer, one of the counsel for the prisoner. I have never been her counsel, and in this case our business is necessarily distinct. I have no pecuniary interest in it, whatever. When I went to the jail, at the early day I did, it was neither as a friend of Mrs. Robinson, nor as her counsel, but as a friend of another party—I mean to say I went purely from motives of friendship, not at his

request or employment. I continued my visits two or three weeks, perhaps a month. The motives that actuated me on my first visit, ceased at the expiration of a week or ten days; when I went afterwards, it was from motives of curiosity. I can only say in answer to your question, whether my visits were acceptable to the prisoner, that I could get no intelligent response from her.

I heard of the arrest early the next morning, and immediately repaired to the jail, announcing to her that I came as the friend of ——. I had never seen her in company with him, but will explain why I went to see her as his friend. I had heard his name mentioned in connection with hers, prior to the arrest. I had also heard she had letters of his, and to avoid the scandal that might arise from an exposure of them, went to her for the purpose of obtaining them. I did not *know* the fact that they were acquainted, but had only heard of it. She finally consented to give them up, but did not have them with her in the jail. I asked her to write an order on the coroner. She pretended she could not write her name, but authorized me to sign it, in the presence of Dr. Hegeman. It was written to the bearer, and signed, Henrietta Robinson. I made application for them to the coroner, but the order was protested, and I never received them.

Mr. Beach, here inquired of the court, how it would rule in regard to medical works, touching the ques-

tion of insanity?—whether citations from those works, might form a part of the argument? The court replied, such was the usual practice. "Then," said, Mr. Beach, "the evidence for the defense is closed."

The prosecution was here resumed, when JOHN UPTON, testified. I have lived in Albany for twenty years, and know the prisoner, but not by the name of Mrs Robinson. I have seen her without the vail. In March, 1851, she resided in Albany. I know —.

Question. Did you see the prisoner at the bar in company with him in Albany, in the month of March, 1851? This question was objected to by the defense.

Mr. Hogeboom arose. "Your Honor will readily recall to mind," he said, "that Mr. Brownell's testimony shows that the prisoner spoke to him repeatedly of —. We did not draw that gentleman's name into this trial—it was the other side. Now, I suppose they intend to make this use of Brownell's testimony: they will say, at the time he saw her, she talked strangely about many things, the same as she had done to other witnesses, and among these strange things, was her assertion that an intimacy existed between herself and —. I can imagine no other use they can possibly make of it. Unless we prove her in his company, which we propose to do by this witness, the jury will be told, that while this woman claimed to be intimately acquainted with him, there was not a particle of evidence she ever saw him. Now, if your honor pleases, we offer to show she *was*

acquainted with him, and, therefore, her speaking of him did not indicate insanity, but quite the contrary. She knew him, and was laboring under no delusion in regard to him. We propose to prove by Mr. Upton, the witness on the stand, that he saw — at this woman's house, in Albany, in March, 1851, sitting with her at her table. We wish by this means to dispel at once the idea, that in speaking to Mr. Brownell as she did, the prisoner gave any evidence of a deluded and insane state of mind."

The objection was sustained by the court, and the evidence excluded, Judge Harris intimating that it seemed unnecessary to establish the point contended for by the prosecution, and moreover, that it was not likely it would be controverted.

Mr. Hogeboom then offered to prove similar intimacies between the same parties in Troy, at a later period, but they were rejected.

OLIVER BOUTWELL was then sworn on the part of the people. I live in the premises adjoining those occupied by Mrs. Robinson. I have seen her often in the streets previous to her arrest, when I thought she was the worse of liquor.

I am the proprietor of a mill in that neighborhood. It is about three hundred yards from my house, on the east side of the river, below the state dam. There is a lock there through which boats pass. Boatmen have complained that the water from my mill made the passage difficult, by driving their boats over on to

a rock in the vicinity. These complaints were made in the spring of 1852, by the Lansingburgh and Waterford boatmen generally, and continued up to the spring of 1853.

PETER COX, sworn for the people. Last year I kept a grocery in North Second street. I knew the prisoner. During the spring of 1853, she lived in our neighborhood. She was in the occasional habit of getting liquor at my grocery. Sometimes she drank it there, and sometimes she took it home with her. She generally purchased the very best liquor I had, and I expect sometimes got a little intoxicated. She usually bought half a pint of brandy or a quart of beer at a time. She was nearer Lanagan's grocery than mine. I was engaged on the canal between West Troy and Albany. She never made threats she would have me discharged.

FRANKLIN BOWMAN, sworn. I am one of the constables of this city; saw Mrs. Robinson at the jail the evening of her arrest, and witnessed her interview with Coroner Bontecou. She requested us to bring from her house a dress, and some other articles of clothing, and her gold watch. There was nothing strange in her manner of asking for them, as I discovered. Officer Burns asked her for the key of her house and she gave it to them. Her appearance and manner were somewhat excited, to be sure.

Here, the prosecution rested, and both parties declared the testimony closed. It was then arranged

that two counsel should speak on each side, alternately. All the jurymen in attendance, except those empaneled, were discharged by the judge, and the court was adjourned until the following Monday.

The evening papers announced as follows : "The trial is drawing to a close. The testimony is all in. The counsel will commence the summing up to-morrow morning. The case possesses a most romantic interest, exhibiting the course of the strange woman in all her wild eccentricities and various associations for a year or more, and up to, and including the tragic deed for which she is now on trial. Notwithstanding the explicit orders of the judge, the prisoner has succeeded in keeping her face concealed, almost entirely, throughout the examination. When compelled to withdraw the vail, she has resorted to her handkerchief and mantilla. She converses much with her counsel, exhibiting great interest in the trial, and at times appears considerably excited. There is strong circumstantial evidence constantly developing, going to show that the mysterious woman was formerly from Canada. The summing up of counsel, and the charge of the judge, will probably occupy the whole of to-morrow."

Thousands in the city and the surrounding country, on reading the above announcement, resolved to be present at the scene next day. From the commencement of the trial, full reports of the proceedings had been published in the morning and evening papers,

and scattered profusely among the people. Throngs gathered in all the places of public resort, crowds assembled on the corners of the streets, to read or listen to the testimony which had been given in the case, especially to learn the minutest incident connected with the manner or conduct of the prisoner. And, now, when the evidence was closed, and the hour which was to decide her fate was drawing near, it seemed that the whole city, men and women, had determined to be present at the encounter of the legal gladiators, who, on the morrow, were to contend, on one side for the *life*, and on the other for the *death*, of the woman.

CHAPTER XI.

FIFTH DAY OF THE TRIAL—THE CROWD—MR. TOWNSEND'S ADDRESS—
HIS DENIAL OF THE PRISONER'S GUILT—THE QUESTION OF INSANITY—
REFERENCES TO AUTHORITY—THE ABSENCE OF MOTIVE—THE MONOMANIA
OF THE PRISONER—THE MADNESS OF LOVE—THE QUESTION OF INTOXI-
CATION—MR. TOWNSEND CONCLUDES—THE PRISONER'S OPINION OF THE
SPEECH—MR. VAN SANTVOORD FOR THE PEOPLE—THE INSANE INFLUENCE—
THE ARGUMENT AGAINST INSANITY—PISTOLS AND BRANDY—THE MANIA
FOR LYING—HONEST TEARS—CONCLUSION OF MR. VAN SANTVOORD'S
SPEECH—THE ECLIPSE OF THE SUN.

At an early hour next morning, the streets leading to the court house square were filled with people pressing eagerly forward to the great center of attraction. As soon as the doors were thrown open, every corner of the large room was occupied. The judges having taken their seats upon the bench, the sheriff entered with the vailed prisoner, when the court announced its readiness to proceed.

The argument of counsel occupied nearly two days, and it is, therefore, impossible for us, without swelling this volume to unreasonable dimensions, to transcribe their speeches at length. We can only advert, briefly, to some of the points raised on both sides, but sufficiently, we trust, to give the reader an idea of the line of argument.

As soon as quiet was restored, Mr. Martin I. Town-

send, junior counsel for the prisoner, arose, and began by saying, that physical debility would prevent him from making such an argument as the importance of the case demanded. His associates, however, had imposed upon him the duty of presenting one branch of the case to the jury, more from the fact of his standing in a different position from them, than from any ability he possessed of doing justice to the subject. Thus pressed into the position in which he found himself, the only course which duty compelled him to pursue, was to remark honestly and fearlessly upon the testimony in the cause, let the consequences be what they might.

He paid a passing compliment to the opposing counsel, characterizing them as among the ablest gentlemen in the state, educated in the same school, and born and nurtured in the same county with Jordan, Williams, and Van Buren; "and these are the men," he said, "with whom I find myself in conflict, and with whom, in this battle for the life of my unhappy client, I am called upon to contend."

Not only on this account, but from the fact that the defense of insanity had come to be looked upon with unreasonable suspicion, he felt himself embarrassed. That suspicion, however, he declared to be unjust, because in the whole of his practice of twenty years, during a part of which time, like his associate who had opened the defense, he had been the public prosecutor,—the plea of insanity, in capital offenses,

had never been resorted to but once. That exception was the case of one Patrick Conway, who interposed the plea of insanity, but whose infirmity, while he was yet in jail, became so palpable and apparent, that he was finally discharged by common consent. He referred to the case of Freeman, who murdered a whole family, near Auburn. In that case, Governor Seward, against unanimous public opinion, and the furious clamor of the populace, contended that he was a lunatic. The trial occupied a month, and he was convicted. It was a most horrid murder, and the perpetrator was a poor, ignorant negro. Governor Seward was dissatisfied with the conviction, and appealed from the prejudiced verdict of the jury; but before the case could be brought to argument in a higher tribunal, the negro died in jail, an evident and universally acknowledged idiot.

Mr. Townsend here referred to a great number of cases, where prisoners had been acquitted on far stronger evidence than had been brought against the woman at the bar; among others, to the Phelps case, where the jury rendered a verdict of acquittal, though morally convinced of the prisoner's guilt, on the ground that there was a possibility of his innocence, and the doubt suggested by that possibility was properly thrown in favor of the prisoner. He also referred to the case of Mat. Ward, recently tried for the murder of a schoolmaster, in Louisville, Kentucky, who escaped on the same grounds that acquitted

Phelps; and also to the affair of the steamboat Caroline, destroyed on the Niagara river, in 1837. "In that case," said Mr. Townsend, "a British subject, named Alexander McLeod, was charged with the murder of an American citizen, while reposing in fancied security beneath the American flag. On that trial it was proved that he had boasted of the deed, yet evidence was adduced showing that his brags of having fired the vessel, and sent it in flames over Niagara Falls, was all a lie. To the honor of the jury, faithful to the spirit of the law, the prisoner was acquitted."

The counsel then alluded to the newspapers of the neighboring city of Albany, which, he alleged, had teemed, during the week, with charges against the prisoner, by connecting her with the political fortunes and private history of a celebrated individual, whose name had been reluctantly mentioned during the progress of the trial. This he condemned, in scathing and bitter language, as unmerciful and unfair.

You have perceived, of course, he said, that the main facts, relied upon by the prosecution, had been abandoned. Not a man have they found who dare come forward and declare the prisoner sane—not one. How, then, can they ask you to do it? They have not even attempted to produce a particle of *evidence* that she is sane; and you, gentlemen, it is unneces-

sary for me to remind you, are sworn to decide *according to the evidence.*

He dwelt upon the wonderful excitement that prevailed ; and in the midst of it all the prisoner was alone, a woman whom no one knew, and no one befriended. She calls herself Mrs. Robinson ; yet it has appeared that previous to her arrest she was living with a man of another name, though it has not appeared that she was his lawful wife. He commented on the evidence relative to her association with ——, and the probable use the prosecution would be likely to make of that evidence ; but argued at length to prove that it was preposterous to suppose that disappointment, growing out of an illicit love for him, could excite in her bosom any revengeful feeling toward Lanagan and the girl.

The manner of the prisoner during the progress of the examination had certainly been strange, mysterious, and unaccountable ; but her counsel were not responsible for her acts in court. It was true, she had manifested singular caprices, and evidently possessed something of the will that belongs to the daughters of Eve. He, and his associates, had exhausted their powers of persuasion to induce her to appear unvailed, but in vain. These eccentricities, however, —and they were but innocent eccentricities—would not have the effect, he was sure, of prejudicing her case in the minds of an intelligent jury.

And now, said Mr. Townsend, let us look a mo-

ment at the evidence. A year ago yesterday, a murder was committed in the upper part of this city, at noonday, and without a motive. The woman charged with the crime, walks openly about the streets, making no attempt whatever at concealment or escape. I heard the details next morning, and from a mere relation of the circumstances, declared my belief that the woman, whoever she might be, was a lunatic. The absence of all motive, the time and place the crime was alleged to have been committed, the manner of the prisoner at the arrest, and on her way to jail, were all such, that it was impossible for a reasonable mind to account for the act, on any other hypothesis than the insanity of the murdereress.

Until the 8th day of December last, I knew nothing particularly in regard to the case, further than I learned from newspaper reports and public rumor. On that day I had occasion to peruse the record of the coroner's jury, and to examine with attention the testimony taken before it. I found that Mrs. Lanagan had testified that there was no cause of enmity existing between her husband and the prisoner, and that Miss Lubee sat at the table looking at Mrs. Robinson during the whole time she was holding the saucer of sugar in her hand, and putting it in the beer. Then, I was driven to the irresistible conclusion, that this woman did not commit the act at all. The whole story was absurd. The idea that she could put arsenic in the beer, directly before the eyes of the girl,

and she drink it, was incredible. If that story be true, all these women must have been crazy together. No, gentlemen, I have stated that I should express fearlessly what I had to say, and now I have no hesitation in declaring it to be my deliberate judgment, founded upon her own evidence, that it is far more probable that Mrs. Lanagan herself poisoned that beer, than the prisoner at the bar.

There is no imaginable motive that could have prompted Mrs. Robinson; it is easy to conceive one that might have prompted Mrs. Lanagan. Her husband was her junior in years. The murdered girl, from morning till night each day, passed her time at the grocery. This woman, beautiful and fascinating, even after she had sunk to the very depths of misfortune, was in the habit of visiting, conversing, associating with him almost continually. Under such circumstances, is it improbable, on the other hand, is it not most likely and natural, that emotions of jealousy and suspicion should have been aroused in the bosom of his wife. It could not have been otherwise than unpleasant and provoking to her, to see these young and handsome women constantly in the society of her husband. She would naturally desire to be rid of their presence. In her heart, we can readily and reasonably fancy, there was a *motive* for putting them away. If her account is to be credited, she and the girl, while seated around the table, had consented to take a friendly glass with Mrs. Robinson. Her hus-

band had just retired, and there was an opportunity of committing the deed, if such was her design. She goes out into the grocery for beer. Why, on her return, did she fill but *two* tumblers, if all three had consented to drink together, as she asserts? She has not answered that. It was merely by accident that Lanagan drank the beer instead of Mrs. Robinson. If this theory is correct, what must have been her surprise when, turning her head and peeping back through the door into the kitchen, she saw the poisoned chalice, prepared for another, pressed to the lips of her own husband!

Understand me, gentlemen. I do not charge Mrs. Lanagan with the commission of the murder. She may be innocent—entirely innocent. But this I do declare: it is necessary to prove Mrs. Robinson insane, in order to acquit her of all suspicion.

He again returned to the point, upon which he laid great stress, that there was no *motive* on the part of Mrs. Robinson. He alluded to the difficulty at the dance long previous to the 25th of May—of her being ejected from the house—of her subsequent abuse of Mrs. Lanagan, but contended that her evidence showed conclusively that all that difficulty had become reconciled and forgotten, and that it was fanciful to suppose that any secret anger, on that account, was rankling in her bosom against any member of the family. That matter, therefore, effectually disposed of, left the prosecution utterly des-

titute of the least pretension that there was any *motive* to induce the prisoner to commit the crime.

He then reverted to the question of insanity. Perhaps, he said, it would be argued she was not deranged, because she could hold rational conversation. To be insane, however, is not to be entirely deprived of sense. On the other hand, the victim of monomania, the form of insanity under which she labored, was frequently very shrewd and cunning on many subjects. It was once held that to be insane, one must be entirely destitute of sense; but under this absurd and exploded doctrine an insane person could not be found—none in the asylum—none anywhere. It is rare that you cannot converse rationally, on many topics, with persons who are deranged. It is only on particular subjects, most frequently, that they reason falsely; put wrong constructions upon facts; draw wrong conclusions, and view things in a distorted light. The idea that the counsel labored, in this connection, to impress upon the jury, was, that the prisoner was a monomaniac; that is, sane on some subjects, but completely irresponsible and infatuated upon others.

Mr. Townsend then took up the question of real and feigned insanity, discussing at great length the testimony of Dr. Bontecou in illustration of this point, paying that gentleman a glowing compliment, by characterizing his opinions in surgical and medical matters, as entitled to as much weight and respect as

that of any other man in the state. He here read from Dean's Medical Jurisprudence, pages 460-605, to show the difficulty and impossibility of feigning insanity successfully, reading passages from the authority before him, and applying them to the testimony taken in the case. Upon this point he spoke long and ably.

I pause here, said Mr. Townsend, to explain why we thought it necessary to introduce the testimony of Edwin Brownell. It was to show at least one cause of her insanity. That witness hesitated to mention the name of a well known individual, until compelled to do so by the order of the court. It was with reluctance that we called it forth; but I hold the life of a human being of too much consequence, to hazard it by the suppression of a fact, however much it may reflect discredit upon any person. There was no cause, he said, so productive of monomania, as disappointed love, and he believed the more clandestine it was, the more ardent and absorbing it became. When the mind and the affections of a woman are wholly concentrated upon one person, and when suddenly, from some cause, she is deserted and abandoned by the object of her devotion, it is not unfrequent, that wretchedness and despair is followed by a dethronement of the reason. A woman views her husband, or one she looks upon as such, as her all; as everything, in short, that renders life desirable. Not so with man. He becomes absorbed in

business, makes money his idol, and soon forgets the gnawings of a lacerated heart amidst the noisy turmoils of the world.

It is true, the woman who has maintained proper care of herself, although deserted by her husband, may remain respectable. But hope dies within her, if she has offended society so as not to be respected by it, and is then deserted by her protector. Where on earth can such an one look for comfort and consolation? She has trusted all, and finds herself, at last, betrayed. Such was the unhappy fortune of the prisoner at the bar, and, doubtless, it was one of the chief causes that drove her into madness.

I will not say that the evidence furnished here is sufficient to show the connection between the prisoner and ———— was all it is represented to be, out of doors. But it shows this—that she was devoted to him, and that he absented himself so long, that she believed he had abandoned her. Either through business, or other pressing engagements, he had remained for weeks away from her. She felt that she was not only deserted, but was actually so utterly neglected, as to be driven to the necessity of attempting, but in vain, to borrow two dollars, to obtain the sustenance of life. In this extremity, she hears he is about to marry a judge's daughter, at the seminary. This she believes, and the belief, we can readily suppose, was not wholly founded on the fact of his continued absence; for there is nothing truer than that a woman,

who does not rely upon a union sanctioned by law and religion, cannot long enjoy that union, without, at times, realizing her degradation, and having fears of ultimate desertion.

In the case of this prisoner, all her poor hopes in life were centered on——. She had sacrificed, for him, all claim upon society—her virtue, her honor, her all. Now, she was to be cast aside as a dishonored and worthless weed, without a ray of hope, or comfort, or encouragement, to illumine the impenetrable darkness of the future. There never was a more powerful, a more irresistible cause of insanity. There is not a woman on God's footstool who, under similar circumstances—with these apprehensions staring her in the face, these rumors confirming her most agonizing suspicions—but, like this woman, would have yielded up her reason. This feature of the case was argued long and eloquently by the counsel.

He then referred to the fact of the prisoner ridiculing the idea of her own insanity, and, in this connection, read a case reported in the *Law Reporter* of the current month. It was the case of Adaline Phelps, indicted for the murder of Elisha Phelps, her father, at Greenfield, Franklin county, Massachusetts. She entertained the same idea as Mrs. Robinson, in regard to her insanity, and approved "the gentlemanly course of the government in abstaining," she said, "from trying to make her out insane." She addressed the jury, in a speech of some forty minutes, in a

clear, logical manner, and in quite an oratorical style, claiming an acquittal on the ground of the insufficiency of evidence. The jury, however, decided her insane, and she was sent to the lunatic asylum.

He again quoted from Dean's Medical Jurisprudence, to show the difference in cases of insanity, referring particularly to the case of Ray, going to establish the fact that the maniac, in committing murder, is not generally anxious to shed more blood than is necessary to do the deed, while the monomaniac exhibits no method, makes no discrimination, but strikes down any and all, one as well as another.

The question of her intoxication on the 25th of May, was next discussed. Drunkenness he denounced as a disgusting vice. The excessive use of inebriating beverages was abhorrent to him, yet he did not feel that a person should be hung for it. It was a weakness of human nature, and, unfortunately, many of both sexes were its victims. There were certain instances, he said, where drunkenness did not excuse crime. If the offense alleged to have been committed by this woman, was done in a mere fit of intoxication, he would not contend for her acquittal. But I have seen no evidence of her being intemperate, until the time when she had become crazed with the opinion that she was deserted by one on whom her affections were concentrated. It is my belief, notwithstanding the opinions of witnesses to the contrary, that she was not intoxicated at the various times

they have particularized, but that her excitement, produced by the apprehension of abandonment, gave her the appearance of one inebriated. But if we have proved, and no witness has been called to disprove it, that the prisoner was insane when the crime was perpetrated, she must be acquitted, notwithstanding she was, also, under the influence of liquor. And, in support of this position, he quoted, from Curtis' Reports, the case of the United States *versus* McCane, and also referred to the trial of Murphy, before Judge Roosevelt, and read from Dean, page 548.

If, however, at the time of the commission of the crime, she was so far under the influence of liquor as to be suffering under *delirium tremens*, then she is as excusable as if it was any other description of insanity. But it will not be contended that the deed was perpetrated under the influence of any such disease. The fact that her mind was deranged a long time after, at once stamps any such assumption as entirely fallacious.

Having commented, lengthily, upon the evidence of young Knickerbocker and the Dillon girl, and expressed the confidence he entertained that the jury would not demand the shedding of his client's blood, on such evidence as had been laid before them, Mr. Townsend concluded, having occupied five hours in the delivery of his speech.

During the whole time, the prisoner remained en-

tirely motionless, scarcely moving her body, and not once changing her position. As the advocate sat down, the veiled figure bent forward, and whispered in his ear this equivocal compliment: "A very able speech, Mr. Townsend, but you might have said all that was necessary in fifteen minutes. The idea of my insanity is absurd."

Mr. Townsend had occupied the time from the opening of the court in the morning until the recess for dinner, in presenting his remarks. On the reassembling of the court, in the afternoon, the Hon. George Van Santvoord addressed the jury, on the part of the prosecution. He began by advertising to the importance of the case—the intense interest it had aroused—the fact that the prisoner was a female, and the awful responsibility devolving on a jury who were called to decide the question of life or death. In entering upon the painful duty he was called upon to perform, he felt most forcibly how vain it was in a case like this, where sympathy for the accused was likely to be shared by the judge on the bench, by the people, and by the jury, to expect that full justice to be done which is due to violated law. He comprehended how singularly the circumstances in this case were calculated to excite these sympathies; nevertheless, the impartial administration of public justice must be sustained, or there would be no security for life or property.

The defense, he said, had alluded to the case of

William Freeman, the murderer of the Van Nest family, near Anburn. That case was not parallel to this. Freeman was tried, convicted, and sentenced to be executed.

He was here interrupted by Mr. Pierson, who said that Freeman was first tried by an inquest of lunacy ; that the jury decided that he was not of sound mind, but of mind sufficient to be placed upon his defense ; that he was then tried, and convicted ; but, on a second trial granted by the supreme court, he was acquitted.

Mr. Van Santvoord respectfully denied the statement of the prisoner's counsel, that Freeman was ever acquitted by a jury. A new trial was granted, it was true, but before being placed a second time upon his defense, he died in the county jail, at Auburn. It was unfortunate, he considered, that the gentleman had referred to that celebrated precedent, because the fact was, that both the jury who sat upon the inquest of lunacy, and the jury who passed upon the offense alleged in the indictment, rejected the plea of insanity, notwithstanding the evidence in proof of it, was a thousand fold stronger than any which he has introduced here, to substantiate the idea of monomania in the prisoner at the bar.

He then alluded to the case of Mat. Ward, and of Richard P. Robinson, the murderer of Ellen Jewett, and remarked that the jurors in both cases had been branded throughout the country, and, he believed,

justly, as setting themselves above evidence, and as not having discharged their duty as ministers of the law. It was a little singular, he thought, that the defense should have thus linked the names of Richard P. and Henrietta Robinson.

He had, of course, supposed that insanity was to be the only ground of defense. The facts proved, were so positive and conclusive, that he had not for a moment imagined any other would or could be attempted. In that conclusion, however, he found himself mistaken. Even the commission of the crime, as charged in the indictment, is denied, and a remote suspicion thrown out that the act was committed by another. This suspicion, however, was founded, as the jury were aware, not on any evidence in the case, but was merely a chimerical and *insane* inference of the counsel.

The irresistible evidence was, he said, that Timothy Lanagan and Catherine Lubee, were murdered by Henrietta Robinson, at the time and in the manner set forth in the indictment. But the counsel who preceded me, has endeavored to show the absence of any motive ; and, having established that fact to his own satisfaction, deduces the inference that she is innocent. Admitting, for the sake of the argument, the logical correctness of his inference, the difficulty in the gentleman's way is this : the fact from which he draws it has not been proved ; his premiss is assumed and false. Now, the truth was, the evidence

had disclosed a motive for the commission of the crime.

In support of this proposition, he referred to the dance at Lanagan's, her quarrel there, and forcible expulsion from the grocery, her violent resentment of it as exhibited in her abuse of Mrs. Lanagan afterward, and contended that this treatment was sufficient and likely to arouse in the bosom of such a woman the desire of vengeance. Again, she was denied the loan of two dollars, and it is easy to imagine her indignation on being refused so insignificant a favor, especially when she had been "so good a customer," as she seemed to regard herself. The idea of money was in her mind immediately after the commission of the offense. You remember, when she came into Ostrom's drug store, under great excitement, half an hour previous to her arrest, she stated that she had been charged with poisoning two persons, because she would not lend *them* a hundred dollars. If she had said she poisoned them, because they refused to lend *her* two dollars, would it not have been more correct? She seems to have been remarkably susceptible to insult, and would be very likely to regard the refusal of the loan in that light. This woman is of a reckless and depraved nature, of violent temper, and quarrelsome disposition, and it is unnecessary to show a further motive that actuated her in the perpetration of the crime, than what has been developed by the testimony.

But I differ, continued Mr. Van Santvoord, from the opposing counsel, in the position he has taken, that a conviction for murder cannot be had, without proving a motive for its commission. On the trial of the negro Freeman, nothing of the kind was proven. The same was true in the case of Green ; in fact, there never was an adequate motive for murder in any case. After Green's conviction, he confessed that the motive was to marry a woman of less charms but more property than his murdered wife possessed. In fiendish cases of this character, it is hardly necessary to look for a motive beyond that evidenced by the commission of the crime. There was not one case in a hundred, where convictions for murder have resulted, in which the testimony approached the fullness of that adduced against the prisoner. We have shown, in the first place, that she purchased the arsenic ; that a part of it was found concealed under the carpet ; that the contents of the stomachs of the victims were analyzed, and the presence of the same poison was there found. There is such a thing as moral certainty, as well as mathematical calculation. It seems, indeed, unnecessary to discuss this branch of the case any farther. The blood of the murdered victims is on the hand of the prisoner ; and, like the conscience-smitten Lady Macbeth, she may exclaim,—“Out, damned spot,” in vain. The “smell of the blood” is there still ; “all the perfumes of Arabia cannot sweeten” it ; it never can be washed out.

There is an impenetrable mystery, he said, surrounding the history and character of this woman. If the defense had seriously intended to sustain their plea of insanity, they should have dispelled this mystery, and given the court and jury some clue to her antecedents. They have not intimated she belonged to a family in which the misfortune of insanity was hereditary ; nor have they given in evidence any cause that would be likely to produce it. Her past career, her character, her face, have been assiduously concealed from observation. In no sense has the veil been raised. Those who have caught a glimpse of her countenance have alleged that it exhibits evidences of beauty. But, relying on the testimony of Mrs. Lanagan, and the girl, Dillon, I feel justified in venturing the conjecture, that if that countenance was examined closely, there would also be found lurking there, the features of violence, profanity, and murder.

While speaking upon this point, the determination of the prisoner to hide her face, Mr. Van Santvoord quoted, very happily, a line from Moore's poetical description of the "Vailed Prophet of Khorassan." The prisoner, turning quickly to her counsel, inquired, in a low tone, but quite eagerly, "What is that?" It was repeated to her. "O yes," she said, "now I remember; Lalla Rookh; that's admirable; that's apropos."

Counsel here cited Ray's Medical Jurisprudence, page 135, to show that insanity was not indicated so

much by a change of feeling as a change of previous character. The natural character of the prisoner should have been shown, and she should have been judged sane unless there has been a departure from her usual manifestations. It was essential on the part of the defense, to show what her habits were, and that when the crime was committed she exhibited opposite and unnatural manifestations.

A man may suppose his leg is of glass, and on all other subjects be of perfectly sound mind. There is one such case reported. This is monomania; but monomania is no excuse for crime, unless it is proved that the subject of it was laboring under the particular delusion with which he may be afflicted, at the very moment of the commission of the act. Almost every one has his delusions on particular subjects, so that if you sift the thing down to its very elements, there is hardly a person to be found who is not, to some degree, insane.

The defense had introduced two or three witnesses to show eccentricities, without proving they were different from usual manifestations, and without tracing them to any peculiarly exciting causes. Senator Verplanck said, truly, that it will not do to attribute mere eccentricities to insanity, for under such a rule, even Paschal and Newton would have been deemed insane.

Dr. Bontecou has sworn that the prisoner was irrational, and Dr. Hegeman does not believe she pos-

sesses a sound mind. It was not necessary, he contended, to prove the woman of perfectly sound mind; "all men are insane sometime in their lives;" but the question for the jury to determine, was—had this prisoner, at the time she committed the murder, sufficient rationality to distinguish between right and wrong?

He would not, he said, reflect in the slightest manner upon Dr. Bontecou; he acknowledged the propriety of the compliments which have been paid to him by Mr. Townsend; nevertheless, his testimony was but a bundle of opinions and conjectures, and such opinions and conjectures are not evidence. You cannot convict this woman without evidence; neither can you acquit her on mere opinion.

True knowledge and skill, he remarked, are proverbially modest. Sir Isaac Newton regarded himself as a mere child on the sea shore, but Dr. Hegeman, fresh from a university, with a year's practice, and a single insane patient, without any knowledge of the previous life, habits, or character of the prisoner, is relied upon as the chief witness to establish her insanity.

Mr. V. here read authorities to show that a medical man of crude opinions and little experience is not competent to detect insanity—that Doctors Bontecou and Hegeman, under this rule, were not qualified to decide the question, inasmuch as they themselves acknowledge their almost entire want of experience in

cases of this character. He again read from Ray's Medical Jurisprudence, page 349, to the effect that a physician may be well qualified in other practice, but no judge of insanity. Applying the rules of law which he had read, he inquired what the opinions of Dr. Bontecou and Dr. Hegeman, on that subject, were worth.

He again read from a work on medical jurisprudence, to the effect that it required the most careful examination, by one of large experience in such cases, to detect insanity; and in this connection, reviewed at considerable length the positions assumed by Mr. Townsend. He pointed out the inconsistency of the defense. At one time they read authorities, he said, proving that the monomaniac is reckless of time and circumstance in the commission of the crime; that the indiscriminate slaughter at Lanagan's proved her laboring under that form of disease. Again they refer you to her caution in secreting the poison under the carpet; the adroitness she displayed in mingling the arsenic with the sugar; and these exhibitions of cunning they also allege are evidences of insanity. If she is taciturn, they contend it indicates a mind deranged—if she is garrulous, it indicates the same; no matter whether she laughs, or cries, or dances, they have but one invariable conclusion. The same inference is drawn from every fact, though they be precisely the reverse of each other.

The counsel next touched upon the question of

moral insanity; referring to the case of Cline, tried before Judge Edmonds, wherein the judge laid down the novel doctrine that a person, insane on one topic, should be relieved from responsibility, characterizing it as *moral insanity*. This theory was from the French school, and was not recognized, in this country, as of itself sufficient to shield the murderer from punishment. It was the first and only annunciation of that doctrine in an American court, and was made by a judge who has since become an advocate of spiritualism, and who wanders about the country discussing that absurd delusion. The legal rule is, "partial insanity is not a defense of crime," and in support of this proposition he cited the case of Lord Ferris, also that of Arnold, tried by Justice Tracy, and read from a charge of Chief Justice Gilson.

The old rule of common law in England, he said, was, that a man to be insane, must have no more reason than a brute. This doctrine was somewhat modified by Judge Hale, two hundred years ago; still at the time of the committing of the act, the mind must be so entirely insane that the person is unconscious of right or wrong. Partial insanity does not excuse crime. That is substantially the rule to this day. Lord Onslow, he mentioned, was partially insane, and yet he was found guilty, as he had sufficient mind to form designs. Many other cases were cited to establish the position, that if the person is possessed of knowledge to enable him to deliberate upon a plan

with a view to commit crime, then he is responsible for such crime. Having fortified his legal proposition with these numerous references, he then entered into a lengthy examination of the testimony, and argued very skillfully and powerfully, that Mrs. Robinson, when she mingled the arsenic with the sugar, was not so far the subject of mental hallucination, but that she was able to distinguish between right and wrong.

He then referred to the alleged causes of her insanity. It is claimed, said he, that the woman was laboring under a delusion arising from the interruption of an illegitimate intercourse with ——. He was sorry this gentleman's name had been brought into the case, contrary, as he understood, to the earnest wishes of the prisoner. The introduction of it in no way strengthens the defense, and he sincerely regretted it, because with him he had maintained friendly relations.

Now, suppose it is admitted that the woman was suffering under the hallucination that this gentleman would marry her! Admit she was running about the streets inquiring for him. The counsel referred to a number of instances and authorities to show that delirium of that nature was no excuse for crime. He ridiculed the idea of insanity from such cause. She is represented, he said, as the crazed Ophelia, but I tell you, gentleman, that this woman who carries pistols in her bosom and drinks bad brandy, who indulges in profane and obscene language, as she did in the

presence of Mary Dillon, would not be likely to go mad through love for ——, or any man. Up to the first of April, at least, she must have been sane, because it is demanding too much of our credulity to suppose that he would have lived with a crazy woman.

He next took the ground that the various freaks and eccentricities of the prisoner indicated intoxication rather than insanity. She staggered when Brownell first discovered her groping through the hall of the court house, and was not sober at the conclusion of their interview. She was in the daily habit of drinking beer and brandy, and the fact that she drank publicly in the grocery of Peter Cox, is abundant evidence that she used it to excess. She asked Anthony Goodspeed for game out of season. Is that proof of insanity? If it is, then I am insane, for I do not know the season of game. But she asked for it several times in the course of a few minutes. That can be regarded in no other light than the natural result of mental stupidity induced by intoxication. In this connection he examined in detail the testimony of Mary Dillon, contending that it proved the woman inebriated rather than insane.

There is one mania, said Mr. Van Santvoord, with which the woman is evidently possessed, and that is a mania for lying. She is not a person of veracity. At one moment she cut the dress herself, the next it was cut by a dressmaker. Sometimes she was edu-

cated in a nunnery, sometimes at Mrs. Willard's seminary. Now, she is the daughter of a lord and born in an Irish castle, and presently she is the offspring of a poor Irishman, and a native of Vermont. At one time the origin of her troubles was her marriage with a poor man, at another they are all attributed to the unkindness of a step-mother. During the day which Mary Dillon spent with her, her conversation generally was rational and agreeable, and these stories, instead of indicating insanity, I regard as the occasional breaking out of her natural propensity to lie. But there might have been some truth, he said, in the story of her mother's death. The tears she shed over the picture, let us trust, gentlemen, were honest tears. I do not believe there ever was a nature so entirely depraved but it still retained some hallowed recollections—some lingering affection for home and kindred. But then she laughed and danced, and for this reason you are told the prisoner was insane. On the contrary, how natural, how like womanhood it was. The picture of her dead mother recalled the scenes of her childhood—the happy days of her innocence. No wonder the woman wept. The recollections of the past brought with them nothing but a sense of misery. And the frantic dancing and laughter, what were they, but the strivings of a wicked heart to throw off the painful memories that oppressed it?

The counsel next proceeded to discuss the evidences of her insanity as exhibited subsequent to the ar-

rest. She did, indeed, he was ready to admit, exhibit some remarkable symptoms of nervous agitation, whether feigned or real it was unnecessary to inquire. In this there was nothing strange or singular; on the other hand, it was very natural. He could not conceive it possible for a woman of strong passions and ardent impulses, like the prisoner, to appear otherwise than wild and excited under such circumstances. Her desire not to be seen entering the jail with the police officers, was commented upon as indicating a natural and rational pride, and a sensible appreciation of her condition. He did not at all wonder that she became somewhat delirious after her incarceration, and attributed it to sudden abstinence from intoxicating drinks. This, together with the gnawings of a guilty conscience, were sufficient to account for all the delirious imaginations which the evidence had disclosed.

The question for the jury to determine, was not her condition subsequent to the arrest, but whether she possessed that knowledge which enabled her to distinguish between right and wrong at the time she administered the fatal poison to her victims. If you, gentlemen, are satisfied, he concluded, that this woman was a responsible and accountable being, when she murdered Timothy Lanagan and Catherine Lubee, it is your duty, however painful it may be, to pronounce her guilty. Poor and rich, great and small, male and female, are alike amenable to the law. You

are only to take into account the evidence, without regard to the sex of the prisoner, or the lowly condition of those she murdered. They were poor and unpretending, it is true, but laws are made for the protection of the weak. The idea sought to be impressed upon your minds, that because the prisoner at the bar is a woman, she cannot therefore be guilty, is fallacious. You recollect the trials of Mrs. Whipple and Polly Bodine, and numerous other instances where females have been guilty of the horrid crime of murder. It sometimes happens, however, that the jury bring in, with their verdict of guilty, a recommendation to mercy. I have no objections to your pursuing a like course in this case, if you think proper. The court, likewise, may possibly join in a request to the governor for a commutation of punishment. If she receives this favor, which is probable, she may deem herself most fortunate. If she does not, then, like others similarly circumstanced, she can only direct her prayers on high, and seek for mercy at the tribunal of Omnipotence.

This speech, which we regret is so feebly and inadequately reported, occupied four and a half hours, and was marked by that legal and literary ability for which the author of the "Lives of the Chief Justices" is distinguished. During the progress of its delivery, occurred the eclipse of the sun of the 26th of May. At the point of its greatest obscuration, the speaker resumed his seat, the darkness being such as

to render it difficult to distinguish the faces of the jurors. For some minutes there was perfect silence throughout the large and densely crowded room, and the thought suggested itself to more than one, that it was typical of the darkness that was gathering around the prospects of the prisoner. Thus closed the fifth day of the trial.

CHAPTER XII.

THE SIXTH DAY OF THE TRIAL—ENTRANCE OF THE PRISONER—MR. PIERSON'S ARGUMENT—GROUNDS TAKEN—MRS. LANAGAN—THE CASE OF GREEN—THE CASE OF PHELPS—JUDGE EDMONDS—THE LISPENARD CASE—THE CASE OF DREW—"THE VILLAIN KILLED ME"—MR. PIERSON CONCLUDES—THE TROY WHIG—MR. HOGEBOOM'S SPEECH—GROUNDS TAKEN—THE AUTHOR OF THE CRIME—THE QUESTION OF MOTIVE—THE RULE OF LAW—THE IRISH DANCE—THE PALTRY LOAN—DR. BONTECOU—"THE LOOSE HABIT"—REFERENCES TO AUTHORITY—IRRATIONALITY—DR. HEGEMAN—THE DESTRUCTION OF THE CHAIRS—THE STORIES EXPLAINED—SHAKSPEARE—CONSLUSION OF MR. HOGEBOOM'S ARGUMENT.

ON Saturday morning, the 27th of May, and the sixth day of the trial, Mrs. Robinson came into court, veiled, as usual, apparently calm and collected, and conversing freely with her counsel.

The Hon. Job Pierson continued the argument in favor of the prisoner, and commenced by saying that the cause had been so well discussed by his associate, Mr. Townsend, that there was little left for him to say; the subject was exhausted. As for himself, the imaginative fervor of his youth, if, indeed, he had ever had much, had disappeared with his advancing years. What little reputation he might possess as a lawyer, had been obtained, not by sophistical argument or oratorical display, but by an honest en-

deavor to present the claims of his clients in a plain, frank and truthful manner.

He complained of the injustice, he might add, the cruelty, of the prosecution, who, in their professional zeal, had evidently labored, throughout the whole examination, to secure for themselves a triumph, by obtaining the conviction of the prisoner, whether right or wrong. Such a victory might be flattering to professional pride, but it was outrageous to seek it at the expense of justice and the sacrifice of life.

There were two grounds upon which he should contend for the acquittal of the prisoner :

First. There is not sufficient evidence to establish the fact that she committed the murder.

Second. If you find that she did commit the murder, then I contend that it has been clearly shown that she was insane at the time, and is therefore not responsible for the act.

In support of the first proposition, he called the attention of the jury to the fact that there was no proof whatever fastening the commission of the crime upon the prisoner, except what was found in the testimony of Mrs. Lanagan. It was true, she had previously purchased arsenic at Ostrom's drug store, but that was nothing more than is done by hundreds of others every day. Because a person buys arsenic, and has it in his house, we must not infer it is his intention to commit murder. Arsenic is an article used generally, and for a great variety of commendable

and innocent purposes. The presumption is, that Mrs. Robinson stated the truth, when she said she wanted it to destroy rats, and this presumption is enhanced by the fact that the locality of her dwelling by the river was such, as to render it very certain that she was much annoyed by them.

The mere fact, then, that she purchased arsenic, and had it in her house, was without any weight whatever. To carry the conviction to your minds that she is guilty of the crime, it will be necessary for the prosecution to produce some evidence, either positive or circumstantial, that she had poison in her possession at the time she entered the grocery of Lanagan. This, however, does not appear. Mrs. Lanagan does not testify to anything of the kind. She saw a white paper in her hand, but whether it contained anything, and if so, what it was, no one pretends to be informed.

If Mrs. Lanagan had been on trial instead of Mrs. Robinson, could not the prosecution, by pressing the fact that she procured the sugar, drew the beer, poured it into the tumblers, and finally refused to drink it when prepared, have made out a clearer and a stronger case against her than they have against this prisoner? They could also have urged the fact that Mrs. Robinson's repeated and unwelcome visits had become annoying, so much so, indeed, that she had been forcibly expelled from the house, and frequently ordered to remain away from the premises,

as a motive on her part to rid herself effectually of her presence, far more plausible than any theory they have advanced in the course of this trial.

As to Mrs. Robinson, there stands the fact, still unrefuted by evidence or argument, that there was *no motive* that could have actuated her in the perpetration of the offense. He combated the position of the counsel who had preceded him, that it was unnecessary to prove a motive, and contended that all precedent and authority established the doctrine that in order to secure the conviction of a *sane* criminal, such proof was essential.

Allusion had been made to the case of Green, convicted of murder in that same court house, a few years previously. Green certainly had a motive. He had seen an actress dressed upon the stage in a very attractive manner—conceived a sudden passion for her, and married her. She was beautiful, indeed, but he soon found that all that glitters is not gold, and that she was not such a wife as he desired. He had previously paid attentions to another lady, possessed of property. This would aid him in business, and, actuated by this motive, he murdered his wife in order to marry her. These were the real facts of the case, with the addition that the evidence of his having poisoned his wife, was overwhelming.

He also reviewed the case of Phelps, who was tried in that court house. Phelps was acquitted, and acquitted, moreover, on the very ground upon which

we demand the acquittal of the prisoner at the bar. No adequate motive was shown—but as much as has been shown in this case—and consequently he was discharged.

He contended that it was incumbent on the people to prove one of two facts, in order to secure conviction—either a motive for the deed, or that she was intoxicated at the time it was committed—and insisted that neither had been shown.

He then referred to the case of *The People vs. Pine*, in the second of Barbour's Reports, page 566, wherein five different stages of insanity are recognized, and also to the decision of Judge Edmonds, which had been so severely criticised by Mr. Van Santvoord. Dean, he said, in his valuable work on medical jurisprudence, had characterized that decision as "judicious." But we are told, said Mr. Pier-
son, that Judge Edmonds is a spiritualist. Great minds, however, sometimes embrace the humbugs of the day. Notwithstanding Judge Edmonds' peculiar sentiments in regard to invisible spirits, his legal opin-
ions had been highly respected for years. They were sound opinions, and all the ingenuity of the gentle-
man could not discredit them. He also commented on the Lispenard case, reported in the twenty-sixth of Wendell, which had been relied upon by the pros-
ecution. The court for the correction of errors, it was true, had reversed the decision of the inferior court, pronouncing the party sane who made the will.

It was well understood, however, that the decision was lobbied through the court, and he declared that he never could hear an allusion to that case, without emotions of indignation. It was there decided that a person gross in habit, who drank to excess, who could neither read nor write, and who was, in fact, a perfect and absolute idiot, was, nevertheless, capable of making a will. In an ejectment suit, however, brought afterward, the will was virtually invalidated. So much for that case, and the remark thereon by Senator Verplanck, as quoted by opposing counsel.

He then read from Ray, page 460, the case of Drew, decided in the United States circuit court, before Justice Story, wherein it is held, that if a person's mind becomes permanently impaired by a long course of intoxication, he is not responsible. Drew was arrested and tried for the murder of one Clark. After sudden absence from drink he had exhibited evidences of mania ; had no appetite, and raved and swore. For weeks after his arrest, these exhibitions continued. The coincidence between that case and this, he dwelt upon as most striking and remarkable. They presented the same evidences of insanity in every respect, yet Drew was acquitted, Justice Story deciding that if the insanity was produced remotely by the influence of liquor, it furnished sufficient ground for releasing him from responsibility.

Mr. Pierson then read some passages from the indictment, charging Mrs. Robinson with willfully, ma-

liciously, not having the fear of God before her eyes, and instigated by the devil, poisoning Timothy Lanagan, &c. The indictment, he said, was founded on the assumption that the crime was committed in the manner alleged ; that it was the result of a willful, malicious, premeditated design. The prosecution, therefore, in order to sustain it, were obliged to show that she planned the murder deliberately. There was no evidence to that effect. If she did mingle the poison with the sugar, would any unprejudiced person believe that it was a preconceived act ; that she comprehended what she was doing at the time ?

He criticised the testimony of Drs. Adams and Skilton, alleging that a great deal of it amounted to nothing. Neither of them analyzed the contents found in the stomachs of the deceased, and all authority, as well as common sense, demanded the test of an intelligent analysis, before the expression of an opinion, as to the cause of death, was deserving a particle of credit or attention. Dr. Skilton, forsooth, was gifted with that extraordinary and miraculous intuitive perception, that, judging from symptoms, only, he felt he could not be mistaken, while men of the highest scientific and medical attainments could only arrive at a satisfactory conclusion after skillful chemical tests.

He then referred to the expressions of Lanagan on his death-bed, and said there was something incomprehensible and mysterious about them ; something

that seemed to indicate that he was aware of the agency of another and an unknown person in the accomplishment of the murder. You remember, gentlemen, how he exclaimed, "The *villain* has killed me!" Who ever heard such an epithet applied to a woman? If he supposed Mrs. Robinson had done it, would he not have said, "The *woman* has killed me?" Writhing in the bitter agonies of death, he was unable to explain the enigmatical expression. The lips of the murdered man are stamped with the seal of eternal silence, and who shall say that the true secret of this whole affair is not buried with him in the grave!

But there was another point, utterly irreconcilable with the idea of sanity, provided it was found that she committed the act. What would a criminal be likely to do, he inquired, after the commission of such a crime? All precedent, all criminal history teaches us, that she would have fled—have hastened from the dreadful scene, and sought to have concealed herself from the eyes of men. On the contrary, she returned to Lanagan's, within two hours after the beer was drank, perfectly indifferent, and evidently unconscious of having committed wrong. This conduct can only be accounted for upon the hypothesis that she was insane or innocent. "The wicked flee when no man pursueth, but the righteous are as bold as a lion."

In further exposition of his views upon the ques-

tion of insanity, he read from Guy, page 343, applying to the authority quoted the testimony of the druggist, Ostrom, and the policeman, Burns. He also expressed his surprise that the prosecution had not called a single person to rebut the evidence of insanity ; had not even examined Dr. Adams upon the point, who was physician to the jail six months after her arrest, and who could have established her sanity, if such was the fact. No such evidence was offered, for the simple reason that there was none to offer ; but, on the contrary, the eloquent counsel who had preceded him, was driven to admit, that her conduct in jail was truly unaccountable. For weeks she was irrational and raving. Dr. Hegeman tells you that, even now, though much improved, he does not regard her of sound mind. During this time she was deprived of stimulating drinks, and, of course, could not be under their influence. How, then, is this unaccountable conduct to be explained, unless we attribute it to the true cause ; which, I am confident, you will concur with me in the conclusion, was neither more nor less than the eccentric actions and distempered fancies of a maniac.

The learned gentleman then entered upon a general description of her conduct, pointing out numerous evidences of a deranged intellect, such as the story of her husband being injured by the cars—the fact that she denounced the attempt to prove her insane—her demeanor at Center Market — the strange

idea that her house was surrounded by a mob — the carrying of pistols to defend herself against attack — the crazy fancy of the wonderful cork, and the still more crazy fancy of the cauldron of boiling water — all these, and other facts of similar character, were discussed at length, and eloquently.

And now, said Mr. Pierson, my lips are about to close. I shall be followed by a gentleman distinguished for his ability as a lawyer, and who is skillful and ingenious in argument. He feels that his reputation is at stake, and will spare no effort to wring from you the verdict of conviction. But, relying upon the strength and justice of our defense, and feeling that "truth is mighty and must prevail," I submit, with all confidence, into your hands, gentlemen, the life of this truly to be pitied and most unfortunate lunatic.

At the conclusion of these remarks, Mr. Townsend directed the attention of the court to an article in the Troy Daily Whig, alleging that the defense had changed its tactics at the time Mr. Brownell was called, which had resulted in bringing out prominently the name of a person as having had relations with the prisoner prior to the commission of the crime. He said there had been no change of tactics. On the contrary, the counsel for the prisoner would have been recreant to duty, had they failed to have elicited this testimony, which they considered of great importance to their client. It had been sug-

gested that this evidence had been called for at the request of the prisoner. He begged leave to say that the prisoner, on the contrary, had insisted that the testimony should be suppressed ; but in view of its importance, her counsel had felt called upon to put it into the case.

Mr. Hogeboom, for the people, then addressed the final argument to the jury. He said that he should endeavor to confine his attention to the case. He should not attempt to enlist their sympathies, or excite their indignation. He should ask them to convict the prisoner ; but he should do so, because he believed that the evidence imperatively demanded it at their hands.

Mrs. Robinson stands indicted for the murder of Timothy Lanagan, on the 25th of May last. It will be your business to inquire,

First. Whether death took place as alleged in the indictment.

Second. Whether it was from the effect of poison.

Third. Who administered that poison ; and

Fourth. Whether the party who administered it is responsible for the crime.

The investigation we have made has rendered it certain that the death was produced by arsenic. That point is not litigated. Two persons, Timothy Lanagan and Catherine Lubee, on the fatal 25th of May, 1853, were poisoned, sickened, and died.

Who administered that poison ? Neither of the
I*

two persons who died at that time committed suicide. That is not pretended. Who, then, caused their deaths? It is your duty to ascertain, in order that the offender may be punished, for the life of every citizen, however humble his position, is entitled to the protection of law; and you cannot hesitate, under your oaths, if the evidence requires it, to consign this prisoner—this woman—to an ignominious death, to satisfy the law. Did Mrs. Lanagan administer the poison? The counsel for the defense have endeavored to impress it upon your minds that she did. Is there a shadow of evidence to show it? Is there the least surmise that domestic discord had been sown in the family? that there was any jealousy existing? that Mrs. Lanagan entertained the slightest suspicion of an illicit intercourse between her husband and the girl? that there was any undue intimacy between him and Mrs. Robinson? Not a particle of proof to show it—nothing whatever, directly or remotely, to justify the idea.

We must look elsewhere, if we would trace, to its true source, the origin of the poisoning. The evidence points to the prisoner at the bar. You are required to have reasonable evidence. Such evidence you have had. Either sane or insane, there sits the woman who committed the murder.

I repeat, the evidence points directly to this prisoner as the individual who administered the poison. Early on the morning of the 25th, she took the initia-

tory step, by purchasing a quantity of beer, in order that its intoxicating qualities might brace her mind to the commission of the dreadful act. During the day she was laboring under its influence ; for who pretends that the quart of beer, which she purchased, was drank by any other person than herself ; and who denies that a quart of beer is sufficient to intoxicate ? She goes home, but returns directly, for the purpose of borrowing money, and is *refused*. Again she returns, at eleven o'clock, in a reckless, half intoxicated state ; stalks into the back room, into a drinking place, and imbibes, perhaps, again. The "fascinating lady"—the only female there, among a lot of loungers—is soon indulging in rough and boisterous conversation. The proprietors interfere, and she is *ordered home*. Do you imagine, gentlemen, that this yile-tempered woman, who had drank a quart of beer before eleven o'clock—who had been refused a paltry loan—who was ready to quarrel with the men in the back room—who was ordered away from the premises—did not brood over these affronts—these "insults?" Two hours afterward, before her anger had time to cool, she returns once more, and then occurs the fatal scene. We have one credible witness of the facts. All the others present at the time are dead. That witness describes to you the particulars of the occurrence, in a plain, simple, and unequivocating manner. Mrs. Robinson enters the back room, with a white paper in her hand — seats

herself at the dinner table, and *insists* that Mrs. Lanagan and Miss Lubee shall drink beer with her. She declines drinking herself, and consequently but two tumblers are filled ; she calls for sugar ; it is handed her in a saucer ; she walks to and fro with it, during which time, of course, her back is turned to the girl ; and then she mixes it with the beer. A slight foam is discovered on the surface ; Mrs. Lanagan is about removing it ; she is stopped by the prisoner, who gives utterance to the significant expression that "*that* is the best of it." The unsuspecting victims partake of it—the fatal poison is imbibed, and without another word, the murderer retires ; her object is accomplished.

But it is asked, what possible object could Mrs. Robinson have in poisoning Miss Lubee ? You will bear in mind that the sugar was all brought in on one dish. It was not in separate parcels, and it was necessary that the poison should be mingled with the entire quantity of sugar before it could be safely conveyed to the beer. If she had only poured it into one tumbler, the act would have excited suspicion at once, and no doubt frustrated her design. Whether there was or was not, therefore, any animosity existing between the prisoner and the girl, it became necessary, under the circumstances, in order to carry out the main purpose, to communicate the poison to both glasses. It was done also, beyond question, to destroy the evidence of guilt, to close forever the mouths of

witnesses who, if living, might testify against her. Unexpectedly, Mrs. Lanagan left the room; and in the emergency of this unforeseen frustration of a portion of her plan, it became necessary to her security to silence the girl, who had been throughout an observer of the scene. She called to Mrs. Lanagan, but she did not go back into the room. Undoubtedly it was the intention of the murderer to destroy every member of the family, and for the life she is now enjoying, Mrs. Lanagan is indebted to a fortunate accident, and not to the mercy of the vailed prisoner at the bar.

As to who was the real author of the crime, there can be no serious question. Mrs. Lanagan proves there was no arsenic in her house. On the other hand, Mrs. Robinson had the means—was in possession of the poison, and was, therefore, prepared to perpetrate the deed. Mrs. Lanagan did not drink, because she was called away. Mrs. Robinson was not called away, and still she did not drink. Soon after, she was ready to drink at the counter; why did she refrain on this occasion?

Now let us look at the question of motive. If I step into that jury box, and, in the presence of the thousands here assembled, plunge a dagger into the heart of any one of you, we are gravely told that the people must prove a motive in order to convict me of the crime! A motive, no doubt, must exist, but we are not required to prove it. It is sufficient for us to show the commission of the act. If you are assaulted

by a neighbor, without any provocation of which you are aware, can it be held necessary for you to prove a motive, in order to obtain redress. No, gentlemen, the rule applicable to murder or any other crime is, that the motive is inferred from the act. Nevertheless, it is very proper to go into an inquiry for motives, but this is generally done to fix the crime in those cases which are involved in doubt. Where the deed is perpetrated at noonday, the act itself furnishes sufficient evidence of the existence of a motive. The counsel here referred to an authority, found in the United States supreme court reports, to establish his position.

There would be no safety, he contended, but in the maintenance of this rule. It would be impossible to secure the punishment of crime, in nine cases out of ten, under a different principle. How can I tell what is passing through your thoughts? Human intellect is inadequate to penetrate the heart of the criminal, and comprehend the secret motives that actuate him, and the law does not require it. What do we know of the character of the prisoner, but from her actions, as developed by the evidence in this case. We only know that her conduct and habits were gross and irregular, and foreign to the delicacy that should characterize her sex. What may not a woman of such a character do?

But I think the relations existing between her and the Lanagans, furnish us with a sufficient motive.

There had been difficulty between them. There was the difficulty at the dance. You remember she drew her pistol and threatened to blow out the brains of Smith. She was persuaded to go home, but immediately returned, still raging and unpeased. All this evidence shows the stuff she is made of—that she is a being of uncontrollable passions and imperious temper—a person of desperate and depraved character. If she was ever otherwise, she has fallen. Her quick resentments of fancied or real insult—her whole bearing toward those with whom, in her low condition, she was compelled to associate, exhibits a haughty spirit of contempt. Doubtless, as she mingled with the uncongenial company at the Irish dance, the recollections and associations of a more refined life crowded upon her mind, and left something of the spirit of the high-born woman lingering about her still. The next morning she called again, and demanded of Mrs. Lanagan, why she had suffered her to be insulted in her house, the night before. A quarrel ensued; she is told her custom is not wanted; and is ordered off by Lanagan. Would not a passionate, resentful woman, like her, be apt to brood bitterly over such an affront?

The matter of borrowing money may, likewise, have had something to do with the murder. We know not motives, but we can infer this from acts. She had borrowed money frequently at Lanagan's. The last time she applied, she was refused. That refusal, in

all probability, was smarting in her bosom. "What," it is likely she may have thought, "am I to be denied the loan of the paltry sum of two dollars by these Irish people? I will have revenge."

Again, at eleven o'clock, she is with the men in the back room. The proprietors remind her that her behavior is indelicate. That was a reproof which we may be very certain rankled in the bosom of the proud and fiery woman. All these things—the burning sense of her condition—the apprehension of desertion—the contempt for her associates—the supposed insults she had received, it can readily be conceived, contributed the motive of the crime.

The facts, then, gentlemen, are these: the prisoner is guilty of the murder, and the motives that actuated it are apparent. Life has been taken—law has been trampled under foot—and unless you find the woman is insane and irresponsible, the violated statutes of the land demand that she shall suffer death.

Mr. Hogeboom then proceeded to examine the testimony and the authorities relative to insanity. If you can bring your minds to the belief, said he, that in consequence of a deranged intellect, she was incapable of distinguishing between right and wrong, when she committed the murder, then acquit her—say she is innocent—say she is guiltless. But if you believe the testimony as regards her insanity is weak and trifling—that it is only a shallow conceit to deceive you into a verdict of acquittal—is but a part of the mys-

terry in which this case is attempted to be veiled—then I call on you, as the representatives of the people, to stand firmly by the law, and to render a fearless and righteous judgment.

As to her insanity, he would endeavor to ascertain the true mental condition of the person both before and after the murder, though he contended that her condition after, was of no importance, farther than it might throw light on her state of mind prior to, and at the time of, the commission of the offense. After her arrest—after being charged with, and imprisoned for the crime—there was, of course, a motive for feigning insanity. She knew it was her only avenue of escape. It was an all-important object to be gained—the prize was her life—and, therefore, it behooved her “to act well her part.” Now, the idea had been advanced, that insanity could not be feigned. A brief reference to a few authorities would be sufficient to explode that notion. He then read from Guy, page 242, in which it was maintained, in substance, that it is only familiarity with *real* insanity, by which the feigned can be detected; also from page 344, that in feigned monomania, the impostor is apt to overact his part, especially on the approach of visitors and physicians; also from page 348, where it was held that it requires knowledge of previous character and habits to distinguish the real from the feigned. These authorities proved, he said, that the question of feigned insanity was more difficult to solve than the prisoner’s

counsel had seemed to suppose. Before the manifestation of monomania at the jail, numerous persons had called on her. He would not say that an honorable man would advise her to such a course, but it would require only a very remote suggestion, to impress on her artful mind, that it was necessary for her escape to manifest these symptoms of insanity.

Again, the prisoner being a high-strung woman, it was natural that she should betray emotion and nervous agitation under the pressure of the terrible charge of murder. That she was also addicted to the use of liquor there was no doubt. Of this, there was abundant evidence. Ostrom, Brownell, Mrs. Lanagan, Peter Cox, and Mary Dillon, show in their testimony that she was in the habit of using ardent spirits immoderately—intemperately. What would be the effect of sudden abstinence? Just such symptoms as she manifested in jail. In this manner, therefore, we may reasonably account for her singular conduct.

The prisoner is now before you, a sane and responsible woman. What cause has supervened to effect her cure, to restore her to reason. She is in the most trying position in which it is possible for a woman to be placed, and yet it is not denied that she is now sane. During the time it is alleged she was insane, the defense failed to bring on her trial. Why? Because, then it would have been necessary to have gone into a preliminary examination, and if proved insane, she would have been sent to a lunatic asylum. That,

she wished to avoid, as well as the contingency of a failure, in which case she would have been declared responsible for the crime charged against her.

The opinions of Dr. Bontecou, he alleged, were, *mere* opinions. It is not fit that they should be taken on trust. Opinions are cheap—very cheap—they cost nothing. Facts only are valuable and reliable—facts founded on the truth. Dr. Bontecou, indeed, does not profess to have much knowledge on the subject; has had no education with reference to it—has read no standard works that treated of it. You, of course, remarked, the doctor refused to employ any other word than that the prisoner was "*irrational*." He declined using that suggestive term, *insane*. It is quite true, her conduct might not have been rational; the act of murder, in every aspect, is irrational. The woman's recklessness was irrational. But insanity is another thing. The doctor did not say she was so insane as to relieve her from responsibility. He only discovered some peculiarities that looked irrational; for instance, on the occasion of his second visit, the prisoner had on a loose habit—a loose dress—(I wish it were her only loose habit.) You will recollect that when I asked him why he visited a crazy woman two or three times a week, his answer was not responsive. But, because Mrs. Robinson's answers to his questions were not responsive, he pronounced her irrational. According to the doctor's theory, he is, himself, just as crazy as the prisoner. The fact is, it is evident

enough, that it was not until after three weeks incubation, during the time the doctor visited the jail, that this idea of insanity was hatched out.

(The prisoner, who had exhibited considerable agitation during the delivery of a portion of these remarks, laughed aloud, as the counsel made the above hit on Dr. Bontecou.)

Mr. Hogeboom then proceeded to examine, in detail, the testimony of Dr. Hegeman. It had been relied on, he said, to prove the prisoner's insanity. He read that portion of it elicited from him by the defense, when called a second time. The prisoner, according to Dr. Hegeman, fancied that people were grinding knives to kill her, and that a man and woman were boiling a cauldron of water, in which to scald her. He read from a medical authority to show that these fancies were indications only of temporary delirium, to be ascribed to high febrile action, naturally resulting from the circumstances which had previously occurred, and did not at all relieve her from the responsibility of former acts. Conceding that they were the symptoms of *delirium tremens*, there is no evidence, not the least, that she was laboring under that disease on the 25th of May. No such pretense is made; indeed, the defense go so far as to deny that she even indulged in the habitual use of intoxicating drinks.

He then alluded to the destruction of the chairs. She did not, however, compromise her comfort, by

destroying the rocking chair—she was very careful not to do that. Throughout, in fact, there was an extraordinary method in the woman's madness, which entitled it to the most careful and suspicious attention. Then, of course, Dr. Hegeman, like Dr. Bon-tecou, had to bring in the funeral scene, in which Mrs. Robinson is solemnly informed that the bodies of the murdered people were being carried to their graves. Certainly, it was her policy not to be startled or excited. It was necessary, when thus accosted, in order to carry out her design successfully, to feign entire ignorance of, and indifference to, the subject.

To establish the allegation of insanity, the defense had introduced but two professional witnesses, neither of whom claimed to possess but little knowledge of the disease—neither of whom pretends to that familiarity with it, which, according to the medical authority I have read, renders them competent to inform us whether her insanity is feigned or real. One of them, indeed, finds the office of deputy-sheriff and jailer more congenial and profitable than the practice of medicine. I cannot think, gentlemen, that you will hazard a verdict upon the evidence of such witnesses. So much for the medical portion of the defense.

He then referred to Mr. Jennyss, and disposed of him with the brief remark, that, situated as that witness was, he would have kept away, had he consulted

his own sense of propriety. He also alluded to the trick played by the prisoner upon the grand jury; commented on the futile efforts that had been made to induce her to unvail her face, and reflected with sarcastic severity upon the stubborn manner in which she had attempted to involve her origin—her history—as the counsel had her cause—in impenetrable mystery.

Mr. Hogeboom then proceeded to comment, at length, on the condition of the prisoner's mind *prior* to the murder. It was strange, he said, that the defense did not give them *some* of her antecedents, so that they might judge whether the disease was, or was not, hereditary; and whether her subsequent conduct has been inconsistent with her previous character and habits of life. If it *is* a fact that she was insane before the murder, he accounted it as marvelous, that no witness but Mary Dillon, a young, inexperienced girl, of immature judgment, should be called to prove it, especially as it is shown that she has resided here for years. Her history could have been safely confided to her counsel; but it is intimated that there is some mysterious thing connected with the case that prevents any inquiry as to her antecedents.

He then analyzed the girl's testimony, and argued that the prisoner's large stories were no evidence of insanity. She said Oliver Boutwell had stopped the navigation of the Hudson river. That sounded wild

—nevertheless, it was a fact ; at least, there was more truth than insanity in the remark. Boutwell's evidence, wherein he states that the water from his mill drove the vessels out upon the rocks, and prevented a safe passage through the locks, explains it all.

Then, in regard to her being educated at the seminary—is that statement strange ? is it evidence of insanity ? It is just as reasonable as the statement in Mrs. Willard's card, that because Mrs. Robinson refused to see her, it was not possible she was educated at the seminary.

And is it remarkable that she stated that she could swim ? Who knows that she cannot swim ? It is very common, indeed, for English ladies to understand that art.

And then her conversation about what a glorious soldier she would make—is it not natural that an energetic, half masculine woman, depraved as she was, going about the streets with a revolver in her bosom, should indulge in just such kind of brag ? Used as she was to fire-arms, is it not possible she was as good a shot as any of you ?

Then, again, her talk about being insulted—is it at all strange that one in her circumstances—pursuing her mode of life—associating and bandying epithets with rowdies—should talk of insult, and of invoking the aid of the police ?

He did not deem it necessary to pay much atten-

tion to the woman's frivolities, at Center Market, as observed by the witness, Goodspeed. Her irregular life, reckless character, fiery passions—all were natural to such behavior. The evidence of Knickerbocker was, that she supposed she was followed by him. Her conduct was in harmony with her character. She acted like a high-bred, but fallen and desperate woman. Drawing her pistol, and presenting it at his breast, she told him to depart. The young man *left*. I venture to remark, said Mr. Hogeboom, with a grin, he followed her no farther.

He discovered no impropriety in the remarks of the *Whig*, that the defense had changed their tactics in introducing Mr. Brownell's testimony, which brought the name of a gentleman out in connection with the woman. He admitted, however, that the movement was a puzzler to him at the time. If it was designed to influence the action of the prosecution, the object had failed. The design was, probably, to surround the cause with still more mystery; and, perhaps, to touch a point with some juror. However this may be, I have confidence that you will do, in this case, your duty, uninfluenced by all such extraneous matters.

I do not believe that this woman will ever die with love. She is unlike the lady described by Shakspeare, who

"never told her love,
But let concealment like a worm i' the bud
Feed on her damask cheek. Who pined in thought:

And, with a green and sickly melancholy,
Sat like Patience on a monument,
Smiling at Grief."

There is no evidence that she loved distractedly ; she may, indeed, have felt herself wronged and outraged ; she may have been grieved and indignant ; but even assuming her to be wild on that particular subject, is it pretended that she was insane on ALL subjects, so as to relieve her from responsibility for crime ? It cannot be. This phase of the case has been introduced to carry out the humbug of pretended insanity, but I trust that neither his name nor his associations will have any effect with you.

Every one is presumed to be in the possession of a reasonable mind, and is held responsible in law for crime committed. Where is the witness who has testified that prior to the 25th of May, 1853, this woman was insane ? Not one ; there is no proof nor pretense that it was so. Every person has peculiar idiosyncracies. It is impossible to prove insanity without a knowledge of previous character, for the reason that there is no standard by which human conduct can be gauged. No two persons are precisely similar in appearance ; no two minds are exactly alike.

Everything relative to the perpetration of this crime evinced design, planning, forethought, deliberation. It is said the poison was purchased for the purpose of destroying rats, and the counsel *presume* her house was infested by them, because it stood on the bank

of the river. If such was the *fact*, how very easily it might have been proved. No, no ; it was doubtless purchased of Ostrom under this excuse, to blind his eyes as to her real object. But we are asked, why she did not flee when the murder was accomplished ? For the palpable reason that she wanted to conceal her guilt, and sudden flight would have been the strongest evidence of it.

I have only to say in conclusion, gentlemen, if, notwithstanding what appears to me the inexcusable guilt of the prisoner, you believe her to be insane, or in your minds there is a reasonable doubt upon the subject, it is your duty to give her the benefit of that doubt, and to return a verdict of acquittal. But you should look carefully and considerately into the case. Remember that partial aberration of mind in regard to other objects will not excuse her. Intoxication will not excuse her. The mystery which has been thrown around the case should not excuse her. I know how sympathy is apt to be excited in cases of this character, and especially in behalf of a woman, however fallen. But the jury box is the throne of justice, not of mercy. No matter how delicate the sex, how high the origin of the accused, if she is guilty, let her be so declared. Among us, crime goes not unpunished ; elsewhere, there have been melancholy instances where wealth and social distinction have secured immunity to the criminal. You have, truly, gentlemen, a most solemn duty to discharge. Two

persons in this community have been slain by the prisoner at the bar. In the light of the evidence, I feel authorized in saying that the crime was perpetrated deliberately and willfully, and with a full and perfect knowledge of its enormity. You are now to determine whether she shall answer for it with her life. If you think our laws are worth maintaining—if you believe murder should not go unpunished, it is easy to anticipate your verdict. But if justice must be defeated by an unfounded and shallow pretense, or the clearest of human evidence is of no avail in a court of law—if sympathy for the distress of the living criminal before you, shall cause you to forget the agonies of the dead, then give the blood-stained murderer a certificate of innocence, and let her depart in peace.

CHAPTER XIII.

JUDGE HARRIS' CHARGE TO THE JURY—MR. TOWNSEND'S PROPOSITIONS—RETIEMENT OF THE JURY—RECESS OF THE COURT—AGREEMENT OF THE JURY—RETURN OF THE COURT—ENTRANCE OF THE PRISONER—HER BROTHER WILLIAM—RETURN OF THE JURY—THE VERDICT OF GUILTY—A SCENE IN COURT—THE EXCITEMENT OF THE PRISONER—SHE DEMANDS ANOTHER JUDGE—THE ADJOURNMENT—THE CONDEMNED IN PRISON—SHE ARRAYS HERSELF IN WHITE, IN TOKEN OF HER INNOCENCE—DETERMINED NOT TO BE SENTENCED—THE MONDAY MORNING SCENE—THE MULTITUDE OF PEOPLE —THE LEGAL MOTION—THE SHERIFF'S AFFIDAVIT, AND CLERK'S CERTIFICATE—THE ARGUMENT OF COUNSEL—SENTENCE SUSPENDED—ELATION OF THE PRISONER—THE CLOSING SCENE.

At the conclusion of Mr. Hogeboom's eloquent and effective remarks, the court took a brief recess. On reassembling, an intense interest pervaded the entire audience; every eye and every ear being turned toward Judge Harris, who proceeded to deliver his charge to the jury.

Gentlemen of the Jury:

The scene which during the week has occupied your attention with such painful interest, is at length drawing to a close. Happily, it is rare that the citizen, in the discharge of the duties which he owes to the government under which he lives, is called upon to act under responsibilities like those which now devolve upon you. It is but once, perhaps, in the course of a man's existence, that he is called upon to

decide the fate, for life or death, of a fellow being—when, in the impressive language of the ceremony which initiated you into your office as jurors, the life of a fellow creature is given in charge to twelve men. The prerogative to determine life belongs to the Great Source of life itself. It is the highest power that man, himself the subject of mortality, can exercise, to assume this prerogative, and declare the life of his fellow man forfeited. This fearful responsibility now rests upon you. When you entered that sacred place, you, each for himself, took a vow upon yourselves that you would render a true verdict according to the evidence, even though the effect of that verdict should be to take the life of the accused. That obligation you are now to meet; let it be so met that a peaceful conscience may attend the abiding recollections of this hour, and, whatever may be the fate of this unhappy woman, that you may ever possess the conscious assurance that the laws under which you live, and from which we all receive protection, have been faithfully upheld and impartially administered.

With the policy or wisdom of the law which demands life as the penalty of crime, neither you, as a jury, nor we, as a court, have anything to do. Were we sitting as legislators, it might become us to express our opinion on this subject; but placed here, as we are, to administer the law, it is our duty to take it as we find it. The responsibility of taking human life is not upon us, but upon the lawgiver.

I proceed now, as briefly as I may, to invite your attention to the questions which will demand your anxious consideration, and the prominent points of the testimony bearing upon those questions.

Timothy Lanagan died on the 25th of May, 1853; he died of poison; was this poison administered by the accused? This is the first question which will require your attention. If the evidence fails to satisfy you of this fact, your duty will here terminate. You will pronounce your verdict of acquittal without reference to the other questions in the case.

But I have not understood the counsel for the defense as contending that the evidence justifies such a conclusion. The accused was in possession of the article which, upon the *post mortem* examination, was found in the stomach of Lanagan. Some ten days or a fortnight before, she had purchased of Mr. Ostrom, the druggist, two ounces of arsenic. About one o'clock on the day of the death, she went into Lanagan's house, where she found the family, Lanagan, his wife, and Catherine Lubee, at dinner. She sat down, upon invitation, to eat an egg and a potato. Soon after, Lanagan left the table and went into the grocery in the front room of the house. The accused then proposed to Mrs. Lanagan and Miss Lubee, to use the expression of the witness herself, that they should drink beer from her. They at first declined, but being urged, they at length consented. She then proposed, in order to make the beer more palatable, to

put sugar in it, and requested Mrs. Lanagan to procure it. Mrs. Lanagan yielding to her request, procured from the grocery some fine white sugar in a saucer. She then went back to get the beer, leaving the accused and Miss Lubee in the room. When she returned, she found the accused walking the room with the saucer of sugar in her hand, and she also says she observed that she held in her thumb and finger a small white paper, folded. Two glasses were provided and the beer poured out. There was not enough to fill them. The accused insisted that they should be full. Mrs. Lanagan returned to the grocery for more beer. When she returned, the accused was putting the sugar into the glasses. They were filled, and Mrs. Lanagan and Miss Lubee sat down at the table to drink. Mrs. Lanagan says she observed, upon the surface of the beer, a white scum, and thinking it might be dust that had fallen upon the sugar while standing in an open box in the store, she took a teaspoon to remove it—that while in the act of doing so, the accused, who was standing by, arrested her hand and took the teaspoon from her, saying, that was the best part of it, and that it would do her good. At that moment Mrs. Lanagan was called to the grocery by her husband. She remained there, but her husband came, and he and Miss Lubee drank the beer. He died at seven o'clock the same evening, and Miss Lubee died at four o'clock the next morning.

This branch of the case depends entirely upon the

testimony of Mrs. Lanagan. From the nature of the case, there could be no other evidence. Had she imbibed the fatal draught instead of her husband, as was at first intended, there would have been no one left to detail the circumstances. The credibility of Mrs. Lanagan has not been questioned. If her story is to be believed, it would seem to leave no room for doubt. You cannot hesitate, however painful it may be, to come to the conclusion that it was the accused, and no else, who administered the arsenic which produced the death of Lanagan.

Assuming that your minds will be brought to this conclusion, I proceed to bring your attention to another important inquiry—an inquiry which, from its very nature, is far more difficult. That inquiry is, whether, at the time she committed the act, the accused was in a condition to render her *legally* responsible for crime—and this depends upon the question whether, at the time, she was in a state of mind which enabled her to know that what she did was *wrong*. If at the moment of mingling that cup she knew that she was doing wrong, and deserved to be punished for it, then, whatever else there may be in the case, before the law she is answerable for the act as a crime. The evidence of her conduct and state of mind before and after is of no importance, except as it reflects light upon her condition at the fatal hour when she committed the deed for which she is now before you to answer.

It seems that, about the period in question, the accused had indulged very freely in the use of intoxicating drink. Mr. Ostrom says, that when she was at his store on Saturday evening, which must have been the 21st of May, she was quite intoxicated. Mr. Brownell says that when she came to his office in the early part of May, he thought her the worse for liquor. Mr. Cox says she frequently purchased liquor at his store, sometimes taking it there, and sometimes taking it home with her. Mrs. Lanagan says that, early in the morning of the 25th of May, she came to the grocery and procured a quart of beer, which she took home with her; and as the deceased was living alone, it may be presumed that she applied it to her own use. At eight o'clock she sent old Mr. Haley to borrow two dollars of Mrs. Lanagan, and before he left she came herself. About eleven o'clock she was there again. It is not proved that she drank then, but she went into the room back of the grocery, where there were several men, and engaged in noisy, boisterous conversation. The fact that she was found in such a place, and in such company, furnishes some ground for the belief that she was then under the influence of liquor. Mrs. Lanagan says, that perceiving the noise, she went into the room and told her to go home—that it was no place for her to be there among such a set of men. At one o'clock she came again, and then the poison was mingled with the beer. Shortly after she left, she sent Haley for Mrs. Lanagan to come to her house.

It is the theory of the prosecution, that having failed in procuring Mrs. Lanagan to drink the poison, it was her object to get her over to her house, so that she might yet execute her purpose. But of this, of course, there is no proof. About three o'clock she was at the grocery again, and asked for beer. Mrs. Lanagan says she told her she did not need any, and declined to let her have it. The answer and the conduct of Mrs. Lanagan at this time, indicate pretty strongly, I think, the condition in which she was at the time—or, at least, what Mrs. Lanagan thought of her condition. While there, Lanagan came home sick, and Miss Lubee had already taken to her bed.

Upon this state of facts, the question presents itself, whether at the time she committed the fatal deed the accused was intoxicated? That she was greatly excited there is no reason to doubt. This is sufficiently evident from the fact of her having visited the grocery so frequently. That she drank freely is, I think, also evident. Was she then intoxicated?

It is my duty to say to you, gentlemen, that, if she was intoxicated, even to such an extent that she was unconscious of what she was doing, still the law holds her responsible for her act. It is true, to constitute the crime of murder, there must be killing of a human being with a premeditated design to effect death. But this design need not be proved. Where the act is committed, the law imputes the design. It proceeds upon the simple principle that a man may rea-

sonably be presumed to intend to do what he in fact does. Thus, if a man will draw from his pocket a pistol and deliberately shoot down his fellow man, the law, without further proof, adjudges that it was in his heart to kill him. If he would excuse himself, he must show affirmatively that he had no such guilty purpose. Then, and then only, can he be exonerated from guilt. If it appear that, by the inscrutable visitation of Providence, the faculties of his mind had become so disordered that he was no longer capable of discriminating between right and wrong in respect to the act he has committed, then the law, in its justice, pronounces him innocent of crime. But, if his derangement be voluntary—if his madness be self-invited—the law will not hear him when he makes his intoxication his plea to excuse him from punishment.

If, then, the accused mingled poison in the beer that was drank by Lanagan, the law charges her with a design to kill him—and though she may have been excited by drink, at the time, even to such an extent as not to know what she was doing, she must answer for the consequences. Her self-inflicted insanity must not be allowed to avail her for her defense. The law still imputes to her a murderous intent.

But it is urged, in behalf of the defense, that the accused was not merely intoxicated—that she was, in fact, insane. If this be so—if by the visitation of God she was so bereft of reason as to be unconscious of the character of the act she was committing, there is

an end of her accountability. But before you can allow this ground of defense to prevail, you must be satisfied of its existence by affirmative proof. Every person is presumed to be sane. When the contrary is asserted, it must be proved. The presumption of sanity must be overcome by satisfactory countervailing evidence.

Upon this branch of the case, it is your duty to examine the facts with the most diligent care. And here the question of motive may well be considered. It has been urged by the counsel for defense that there could have been no possible motive for destroying the lives of Lanagan and Miss Lubee; and that the absence of motive furnishes a strong ground for inferring that the act must have been committed in a state of insanity. The existence or want of motive to commit the crime alleged is always a legitimate subject of inquiry. In cases depending upon circumstantial evidence, it is sometimes of vital importance. But it is never indispensable to a conviction that a motive for the commission of the crime should appear. The law imputes malice to the act, so that the very proof of the killing furnishes also presumptive evidence of malice. And yet, while the prosecution is relieved, by this legal presumption, from proving an actual motive for the commission of the offense, the absence of such proof is often an important consideration for the jury in determining the effect to be given to the other evidence in the case.

But it is contended, on behalf of the prosecution, that there is proof of a state of feeling, which, considered in connection with the state of mind exhibited by the accused at about the period in question, relieves the case of this objection. It appears that some time during the spring there had been a dance at Lanagan's. Though not one of the party, the accused went there and became engaged in an altercation with one Smith ; angry words and loud conversation ensued. If it be true, as has been assumed throughout the trial, that the accused is of gentle birth and has once moved in the higher and more refined walks of life, what a painful illustration she presents of the rapid descent which a woman makes to the lowest depths of degradation and vice, when she once consents to take leave of virtue and innocence. Here we have this fallen woman, who is described to us as possessing high accomplishments and lady-like manners, voluntarily mingling with the parties to a grocery dance and engaging in a brawl with one of the party, and carrying the quarrel so far as to present her revolver and threaten to shoot him. To quell the disturbance she was required to leave the house, and finally Mrs. Lanagan led her home. This occurrence seems to have stung her pride, for, one or two mornings after, we find her returning to the grocery, before Lanagan was out of bed ; and she then, as Mrs. Lanagan says, commenced abusing her—saying that she was a very mean woman to keep a set of rowdies

about her house to insult her when she came there. Her language was so loud and violent that Lanagan got up, and, coming into the grocery, ordered her to leave, which she refused to do, until Mrs. Lanagan again interfered and induced her to go home.

The result of this quarrel was, that she did not again return to Lanagan's for some three weeks, after which she again renewed her visits. It is the theory of the prosecution that these occurrences left a sting rankling in the bosom of this woman, which needed but the excitement of which she was the subject, on the 25th of May, to arouse to such a degree as to make her resolve upon the destruction of those who had become the subject of her resentment. Certainly, these circumstances would furnish to a sound mind but a slight motive for the commission of such a crime. How far they would operate upon an irritable temperament, like hers, when greatly excited by stimulants, and, perhaps, other vitiating causes, it is for you, gentlemen, to judge.

There is another feature of this case, which may have some bearing upon the question under consideration, to which I would direct your attention. It is the manner in which the deed was accomplished. We see no outburst of passion, but everything is apparently cool and orderly. First, the proposition to drink the beer, and that insisted upon ; then, obtaining the sugar, and arrangements to mix the poison with it while the glasses were being filled ; then the

refusal of the accused herself to drink, and her efforts to prevent any of the contents of the glass from being removed. These are characteristics of the transaction which may, perhaps, shed more light upon the state of this woman's mind at the time.

There is another class of evidence bearing upon the question of insanity, to which you will not fail to give the consideration which you may think it deserves. I refer to the conduct and conversation of the accused a short period previous to the 25th of May. This evidence is found chiefly in the testimony of the young sewing girl, Mary Jane Dillon, who became acquainted with her in March previous. The testimony of Anthony Goodspeed belongs to the same class. I will not recapitulate this evidence. It cannot but be fresh in your memories. There certainly must have been, in her statements to Miss D., a strange commingling of truth and falsehood ; the latter, perhaps, greatly predominating. Whether the tales she told were the vagaries of a distempered imagination, or the inventions of her fancy, designed to amuse her youthful and newly acquired friend, it is for you to inquire. There was, too, something exceedingly strange, at times, in her conduct—especially when in the morning she came, in her night clothes, to the residence of Miss Dillon, and borrowed her dress. It will be your duty to satisfy yourselves as to the state of mind to which this conduct is to be attributed.

It certainly was not strange that the accused and

this young girl should be mutually pleased with each other. The accused, with an ardent temperament, which demanded society, was so situated that she was compelled to live alone. She had sought companionship among those who had no tastes and sympathies with her own, and whom she regarded, probably, with contempt. It was a relief to her solitariness, therefore, to meet with Miss Dillon—a young, artless, imaginative girl, with whom she could at least talk. There was much, too, in the air and manner and romantic stories of the accused, to please the taste for romance which this young girl seems to have possessed. She says she was pleased with her conversation, though she admits that her ear was sometimes offended by expressions both of profanity and obscenity. How far the testimony of this girl tends to establish the defense, is for you to consider. It is upon this testimony, supported, as it is, by some other kindred but less important evidence, that the counsel for the defense chiefly rely.

The theory of the defense is, that the accused had become apprehensive that she was about to be abandoned by one who had been her friend and supporter, and that this apprehension operating upon her nervous, excitable temperament, with the recollection of her own former position from which she had so sadly fallen, had unhinged her mind, and that the eccentricities which marked her conduct about the period to which our inquiries relate, were but the outbursts

of incipient madness. To sustain this theory, the testimony of Mr. Brownell was introduced, to whom, it seems, early in May, the accused had described her griefs and apprehensions.

Thus far, I have only noticed the testimony which relates to occurrences which happened before the arrest of the accused. What her conduct was afterward, is only important as it sheds light upon her previous condition. Her conduct after she was committed to prison, was, indeed, strange. How far her conduct was produced by the enormity of the charge preferred against her, and a sense of the condition in which she found herself—and how far, by being suddenly deprived of the stimulants in which she had evidently been indulging so freely, and how far by a disordered intellect, are questions which I suggest to your consideration. In this connection, too, it will be proper to consider the opinions of the two physicians who had the opportunity of seeing her in jail, and who say that, in their opinion, she was not rational. Such opinions are allowed to be given in evidence, not as by any means controlling your own opinion, but to be considered by the jury, who are to give them such weight as, in their judgment, having regard to the experience and opportunities for observation which those who express the opinions have enjoyed, such opinions deserve.

And now, gentlemen, I have noticed what I have regarded as the principal points and features of the

case before us. I have not thought it fit to review at length the evidence, persuaded as I am that it is all fully within your recollection. Here my duty ends, and yours begins. I am conscious how imperfectly I have discharged that duty, and yet it has been my single aim to administer the law with a steady and unswerving hand. In the discharge of your duty, be faithful to your own high obligations. Deal justly with this poor, unhappy woman, whose destiny is now committed to your hands. Deal mercifully with her, too. This is your privilege. The law allows every well grounded doubt to avail for her acquittal. If, after a full consideration of all the facts in the case, no such doubt rests upon your minds, you need not hesitate, though it be with anguish of heart, to pronounce her guilty. But if you can, after all, say you are not satisfied of her guilt, it will be your more agreeable duty to pronounce a verdict of acquittal.

After the conclusion of the charge, M. I. Townsend, Esq. (for the defense) presented the following:

The prisoner's counsel ask the court to charge the jury,

First—That if the jury find that at the time of the alleged commission of the act with which the prisoner stands charged, the prisoner was not in a situation to distinguish between right and wrong, as respects the act alleged to have been committed, independent of the influence of the present intoxication, the prisoner is entitled to an acquittal, notwithstanding that

she was at the time of the commission of the act under the influence of intoxication.

Second—That it would not have been competent for defendant's counsel to have asked the Doctors Bontecou and Hegeman, whether, in their opinion, the prisoner was or was not, at the times spoken of by them, in a condition to distinguish between right and wrong, as to the act with which she is charged.

Judge Harris assented to both propositions, and so charged; and the jury, at six and a quarter o'clock, retired to deliberate on their verdict. After a few minutes had elapsed, the court took a recess. The prisoner also retired, accompanied by the sheriff and his daughter, and rode to the jail in a carriage.

Long before the hour of reopening had arrived, all the seats, aisles and galleries of the court room were densely crowded. A large proportion of the audience were ladies, many of whom had retained the side benches from the afternoon session, not retiring during the interval of the recess. The officers experienced much difficulty in maintaining quiet in the large and excited crowd. About half past eight o'clock, one of the assistant justices took his seat upon the bench, when an officer reported to him that the jury had agreed upon a verdict. The information was immediately sent to the presiding justice and the sheriff. Judge Harris soon appeared. He had evidently divined the decision, and during the space that elapsed before the entrance of the jury, he man-

ifested deep emotion, sitting with his head resting on his hand, and affected to tears.

At five minutes past nine o'clock, Sheriff Price brought in the prisoner by the private passage, the crowd being so great as to prevent their entrance from the front. She was accompanied by the sheriff's wife and daughter, both of whom, as well as the sheriff, evinced much feeling. She wore the impenetrable blue vail, as usual. In passing toward the bar of the court, a slight tremor was observable; once or twice she faltered, but this might, perhaps, have been occasioned by the difficulty of seeing her way distinctly along the crowded passage through her close disguise.

Throughout the trial she had confidently expressed the opinion that she would either be acquitted, or that the jury would disagree. In the carriage, however, on her way to the court house to hear the verdict, she began to despond, and for a moment seemed to be thrown off her guard. Turning to the sheriff, she inquired, "Do you think the verdict will be against me?" The sheriff replied that he could give her no encouragement—he feared it would be so. She then exclaimed in a tone of anguish, "Oh! that my brother William was here. Oh! that I could see my brother William."

This exclamation seemed to have been involuntary, and to have been drawn out by the painful circumstances in which she was placed. It was the first

time, amidst all the trying scenes through which she had passed, that a word had fallen from her lips, indicating the name of any of her kindred. It attracted the attention of the sheriff, who inquired, "What did you say of your brother William?" "Nothing of consequence," she answered apologetically, and at once assuming her usual composure, "Nothing of consequence; I was only thinking."

Immediately following her arrival, the jury entered and took their seats. The character of the verdict was legible upon their countenances. They sat with their heads inclined, and the foreman sighed deeply and repeatedly. Some of them were in tears, and all of them appeared to be oppressed with the solemn duty their oaths and consciences required them to discharge. The scene was an impressive one, and needed no interpretation. All *felt* what the verdict would be.

The usual ceremony of receiving a verdict in capital cases, was somewhat varied, in consideration, no doubt, of the sex of the prisoner, and the extraordinary manner in which she had chosen to present herself in court. Instead of placing her in the dock, she was given her previous seat inside the bar, at the left hand of Mr. Pierson, her counsel, and near the seats occupied by the ladies accompanying her. She was not commanded to stand up and "look upon the jury," nor were the jury asked to "look upon the prisoner," but the verdict was pronounced while the

prisoner sat vailed, within the bar. The names of the jurors were then called. The silence was deep, and the sensation intense. Each juror having answered to his name, the clerk put the question,

"Gentlemen of the jury, have you agreed upon your verdict?"

After a moment's silence, the foreman answered, in a subdued tone, "We have."

The clerk—"How do you find the prisoner at the bar—guilty or not guilty?"

There was no answer, at least none that could be heard at the clerk's desk, though the room was as silent as the grave. He repeated :

"Gentlemen, how do you say you find the prisoner at the bar—guilty, or not guilty?"

Raising his face which had been buried in his handkerchief, the foreman, as if with an effort, pronounced in a low, but audible tone, the word—"GUILTY."

The clerk—You say you find the prisoner guilty of the crime of murder whereof she stands indicted, and so say you all?"

Answer—"We do."

Whether or not the countenance of the woman changed—what may have been the emotions it manifested, that impenetrable disguise prevented any of the hundreds who surrounded her from perceiving. Her frame, however, exhibited no sign of extraordinary feeling. She held a moment's conversation

with Mr. Pierson, when that gentleman requested that the jury be interrogated separately.

The clerk then asked each juror whether the verdict rendered was his verdict, and all answered in the affirmative.

The district attorney, Mr. Bingham, inquired if the court intended to pass sentence at once?

Mr. Pierson, thereupon, arose, and was proceeding to address the court, when to his surprise, and to the surprise of the audience, he was interrupted by the prisoner. Under great excitement, and evidently in a very angry mood, she exclaimed in a voice firm, clear and musical, and pitched to a high key—

“Shame on you, judge! shame on you! There is corruption here! There is corruption in the court!”

Mr. Pierson, aided by the sheriff and his wife and daughter, attempted to quiet her. Her counsel then proceeded to remark that the defense desired a postponement of the sentence, at least until the following Monday, in order to enable them to prepare and present some points touching the legality of the indictment. He had learned that no venire was issued, as required by statute, for the grand jury that found the indictment against the prisoner. He desired time to investigate the matter, and stated he would endeavor to be prepared to lay the facts before the court as early as Monday morning. Mr. Pierson had not yet

taken his seat, when Mrs. Robinson rose, and in the same excited tone and manner, again exclaimed—

“The court is corrupt! The district attorney is corrupt! Some of the jury are corrupt! I demand another judge!

Mr. Pierson, turning to her, said, in a voice sufficiently audible to be heard at the reporter's desk,— “Madam, if you do not remain quiet, I will leave you!”

She replied, still more than ever excited, “I *will* speak! *Why* should I not?” but, at the direction of the sheriff, she resumed her seat, and said nothing more.

Mr. Townsend then informed the court that he most firmly believed that the verdict of conviction had been rendered against the veriest lunatic that ever lived. He appealed to the court to grant the suspension asked for by his associate counsel—that they did not then know precisely how they should proceed, and desired time to consult.

Judge Harris replied that he was expected to open a circuit in another county on Monday, and that the delay would be inconvenient. The case would not, probably, be at all prejudiced by pronouncing sentence at once, and he would therefore suggest to the defense, that they could present their points as well after the entering of judgment as before. However, he was ready to subject himself to any personal incol-

venience, if a suspension of sentence should be considered necessary.

Mr. Hogeboom, speaking in behalf of the district attorney, said that the prosecution would not insist on the sentence being pronounced immediately, against the expressed desire of the defense for an opportunity of consultation ; yet he could not perceive the necessity of a postponement, especially after the suggestion of the court ; besides, they were ready to waive all objections to the defense proceeding in the matter *after sentence passed.*

"I feel it to be my duty to conform to the wishes of the prisoner's counsel," returned Judge Harris, and ordered an adjournment of the court until half past eight o'clock the following Monday morning.

The vast crowd of men and women then slowly dispersed, many of them lingering behind, anxious to obtain a closer view of the prisoner, until she had passed out with the sheriff and his family, entered the carriage, and was driven away to jail.

It was rumored, at the time, that on her way thither, Mrs. Robinson laughed and joked about the scene through which she had passed, and that, on reaching her cell, she remarked to the jailer, Hegeman, in great glee, "*You'll have a nice time putting the rope around my neck, old boy!*" The following statement, however, which we extract from an editorial article in the Troy Budget, of Monday, May 29th, is more correct.

"The conduct of the prisoner, subsequent to the rendition of the verdict, having been alluded to by a morning paper, in a way calculated to create a prejudice against her, we may state, that after being taken from the court house on Saturday evening last, she appeared to realize, partially, at least, her condition. Instead of indulging in frivolity, as represented, she had to be supported on her way back to prison. After her return, her exclamations and entreaties were pitiful, so much so that the sheriff felt it his duty to prevail on the female members of his family to remain with her until late at night, when she had become more composed."

The next day, on entering her cell, she was found dressed, with scrupulous care and neatness, in a costume of spotless white. In token of her innocence, she had arrayed herself in this apparel. Nearly the entire day, she walked from one side to the other of her room, uneasy as the captive bird that beats in vain against the bars of its prison cage. Though not directing her remarks to any person, and unconscious that she was heard, she repeatedly exclaimed, with great energy and determination, "*He shall never pronounce sentence against me! No; never, never, never!*"

At a very early hour on Monday morning, the streets in the neighborhood of the court house were alive with people, all anxious to witness the closing scene of this "strange, eventful" trial. The en-

trances to the building, both in front and rear, were so choked with the great multitude, a large part of whom were ladies, that it was with the utmost difficulty the constables in attendance could clear a passage for the judge and officers of the court. The number in and about the court house was far greater than on any day during the trial.

In disposing of the people, many amusing scenes occurred, illustrative of the obstinacy, the perseverance, the peculiarities, and the marvelous deafness and obtuseness of "some folks." All wanted the best seat—all wanted to get in front—and all asserted "certain inalienable rights," among which was, to sit or stand in such a position as to get a glimpse of the veiled murderess.

More than one-half the crowd were females, and in gaining entrance to the room at all hazards, they exhibited as much strength of purpose, indomitable determination, perseverance, activity, and tact, as did any of the "lords of creation."

At twenty minutes past eight o'clock, the prisoner entered, by the rear passage, with the sheriff and his deputies, and the ladies who had previously accompanied her, between the latter of whom she took her usual seat within the bar. The sensation at this moment was very great. Every eye was turned upon the mysterious figure enveloped in the blue veil.

She walked to her seat with a faltering and uncertain step, and was evidently much excited and ner-

vous. This, however, she soon mastered, and presently entered into active conversation with the sheriff, her counsel, and the ladies who accompanied her.

The morbid curiosity to see her was unabated and intense. It was almost impossible to induce the females to sit down. They persisted in standing upon the benches; and women who had little children with them, held them up in their arms to enable them to catch a glimpse of the culprit.

As soon as Judge Harris had arrived, observing the great excitement among the audience, he rose and said :

"I hope that every person in this crowded assembly will feel it incumbent upon him or herself to preserve perfect quiet and order. Let none move—let none speak, even in a whisper, so that everything may be done with decorum—so that all may see—so that all may hear—so that nothing may occur to disturb the court, interfere with the proceedings, or violate the strictest rules of propriety."

The audience at once became silent. Very soon, however, there were loud and repeated knockings at the front door, and presently two ladies fainted, and were borne out of the room. The court again called for the preservation of order, and dispatched officers to the front door to prevent further disturbance, when Mr. Beach arose and moved a suspension of the sentence, in order to afford time for the defense to prepare a bill of exceptions, or to take such action as was

necessary, with reference to a question of irregularity in the organization of the grand jury that found the indictment against the prisoner. He said that the district attorney had issued no precept to the sheriff for the meeting of the court and jurors at the February term, when the indictment was found, as required by statute. He then read the affidavit of the sheriff and certificate of the clerk, substantiating his statement.

Mr. Beach then read from the Revised Statutes in support of his position, and contended that the requirement remained in force, notwithstanding subsequent legislation. He referred to a case in Johnson's Reports, analogous to this, which was tried in 1814, and in which a new trial was granted. He also referred to the Statutes to show that the requirement in question is expressly applied to courts of oyer and terminer, and argued at considerable length that this informality invalidated the proceedings by which the prisoner had been convicted.

Mr. Beach further remarked, that the defense had been informed, since the rendition of the verdict, that one of the jurors had expressed an opinion previous to the trial, that Mrs. Robinson was guilty, and ought to be convicted. Now, that jury, when it was empanneled, stated, each for himself, that he had formed *no* opinion as to the guilt or innocence of the prisoner that would render him incompetent to try the cause. For want of time, no affidavit upon this point had been

obtained, but his information was sufficiently reliable to justify him in urging it as another reason for suspending sentence. They, at least, required time to look into the matter, as otherwise the defense might be cut off from remedy.

The district attorney, in reply, contended that the provisions of the statute referred to were not applicable to this case, and read from subsequent enactments to show that they referred only to special terms, ordered by the governor or circuit judge.

Mr. Hogeboom would add, that the counsel on the part of the prosecution had but a limited time for the consideration of the motion, and consequently were not prepared to argue the question at length. The prosecution might, however, offer an affidavit showing that the defense were aware, before the trial, of the objection now urged ; the objection should have been made preliminary to the trial, not afterward ; for it applies as well to the indictment, as the trial itself. It might, therefore, be properly urged that the objection had been waived, for the reason that it had not been presented at the proper time—prior instead of subsequent to the conviction.

Besides, he added, there is no real necessity for a suspension of sentence in order to obtain a decision on the point in a higher tribunal. A similar motion was made in the case of Hendrickson, when Judge Marvin decided that the passing of sentence would not interfere with a review of the case by a full

bench, and he pronounced sentence immediately on conviction. The execution of Hendrickson's sentence was postponed from month to month, until every means of averting it was exhausted. This case may be reviewed long before the day fixed for execution.

He would not argue the question upon its merits now, because an opportunity would be given for doing that afterward; but he would assume that the requirement referred to was directory rather than mandatory, and that the direction does not apply to ordinary courts of oyer and terminer, held at stated times, but to jail deliveries ordered by the governor. The court did not owe its jurisdiction to the precept; that came from the statute. It is contended that the jury was not properly drawn and summoned. The question is, is this court legally constituted? And the question is brought up after the court has been in session many weeks, disposed of a large number of cases, and sentenced many persons to state prisons.

Alluding to the other objection, the expression of a juror that the prisoner ought to be convicted, Mr. Hogeboom thought the present not the proper time to urge it. The defense had made its own jury; it was the prisoner's jury; they had the right of peremptory challenge, but were relieved of the necessity of exercising it by the action of the court.

Judge Harris here inquired whether it was the intention of the defense to submit the questions raised,

in the court of oyer and terminer or in the supreme court?

Mr. Beach replied that the prisoner's counsel were not entirely agreed as to the steps proper to be taken. They, therefore, desired time to consult and agree on a plan of action, in order that their cause might not be prejudiced by any misapprehension.

Judge Harris said the court was inclined to yield to the request of the defense, without intimating an opinion as to the points raised, though it had an opinion. It was the spirit of the law, that while it marches on with steady step to the fulfillment of its mission, it affords, at the same time, every opportunity of defense, substantial and technical, to those against whom it proceeds. It says to its ministers, forbear, until every such opportunity has been thus extended. He should, therefore, suspend sentence, and directed that the prisoner should remain in the custody of the sheriff until the further order of the court.

Thus closed, for the present, the trial of Henrietta Robinson for the murder of Timothy Lanagan. The *Times*, of that day, made the following comments in regard to it: "We have neither time nor space to comment on this exciting trial, the conviction of the prisoner, and the present aspect of the case. We may remark, however, that no similar trial, ever held in this country, has created so deep an interest.

"It is now fully confirmed, we believe, that Mrs.

Robinson was formerly a pupil at the Troy Female Seminary. She was recognized to-day by one of her former schoolmates, who had some conversation with her.

"Upon the decision of Judge Harris, to-day, suspending sentence, she appeared highly elated, and conversed in a lively spirit with her counsel and attendants. She evidently anticipates a better fate than either hanging or confinement for life in the state prison.

"The whole affair of the murder, with the scenes in court, the veiled prisoner, and her mysterious conduct, all appear more like romance than reality."

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CHAPTER XIV.

THE QUESTION OF IDENTITY—THE GENERAL IMPRESSION—MR. WILLARD, OF THE SEMINARY—THE WHIMSICAL NOTION—MORBID CURIOSITY—THE THREE DIFFERENT FAMILIES—IS MRS. ROBINSON MISS WOOD?—MR. WILLARD'S LETTER TO THE WHIG—MR. WOOD'S LETTER TO THE SAME—MRS. CAMPBELL AND THE CAB DRIVER—THE SUPPOSITION WHO SHE IS—THE REMARK OF HER COUNSEL—MR. JEFFREYS, THE GENTLEMAN FROM QUEBEC—MR. HEART, THE BANK-TELLER—AN ACCOUNT OF THE SISTERS—A VISIT TO THE JAIL—THE PRISONER'S HAND—THE ARGUMENT UPON IT—THE LETTER CRITICISED—THE RECOGNITION IN THE COURT HOUSE—DISAGREEMENT ABOUT FACTS—IS MRS. ROBINSON ACCOMPLISHED?—MR. JEFFRIES' TESTIMONY—MR. HEART'S OPINION—THE CROWNING REASON—SUPPOSITIONS AND ABSURDITIES—THE ANONYMOUS LETTER WRITER—THE INCONSISTENCY—DEPOSITION OF THE MAGISTRATE—COMMENTS OF THE WHIG AND TIMES—THE QUESTION SETTLED—MRS. ROBINSON IS NOT EMMA WOOD.

HAVING thus far traced the history of this mysterious woman, we now approach, in the proper order of events, the somewhat delicate question of her identity. It already has appeared that the name of Henrietta Robinson was assumed, and the reader must also have observed, that, whether true or false, a general impression prevailed that she was formerly a pupil in the Troy Female Seminary, and that her maiden name was Wood.

That she was a native of Quebec seems never to have been seriously disputed, and that she was a woman who had, some time in her life, enjoyed superior

social advantages, few of those who were permitted the opportunity of observing her manners, or of listening to her conversation, were inclined to deny.

The general impression that she was formerly a Miss Wood, so far as we can ascertain, had its origin in a remark, made soon after her arrest, by the gentleman to whom frequent reference has heretofore been made, but whose name we have not thought proper to divulge. Others who had known, in years past, the person she was supposed to be, having succeeded, by accident or otherwise, in obtaining a glimpse of her features, confirmed the impression which had been thus created ; so that, at the close of the trial, but little doubt was entertained on the subject, notwithstanding her continued denials of its correctness.

There were, however, those who manifested a singular degree of interest in resisting the impression which had gone abroad. Among these was the principal of the Troy Female Seminary. This interest, so far as we can comprehend the import of his published statements, proceeded from the idea of respect and friendship for the family referred to, but more especially, that the establishment of the fact that she was a former pupil at the seminary, would not be reputable to the institution.

The high moral and social standing of this gentleman precludes at once the most remote suspicion that he was at any time actuated in the matter by other

than upright and honorable motives. There were those, however, who regarded his zeal as more praiseworthy than prudent. It was certainly a novel notion, more whimsical than logical, that the character of his institution could be thus affected. It was considered as too widely and favorably known, it had enjoyed too long and deservedly the reputation of being one of the first seminaries in the country, to suffer from the errors of a woman who had passed within its shades a portion of her youth. Doubtless, had she remembered the instruction there received, she would have avoided the misfortunes of later life; but Henrietta Robinson is not the first upon whom the advantages of education and the counsels of wisdom have been bestowed in vain.

It may be said, that it matters not who this woman is, and that the development of her history can contribute only to the gratification of a morbid curiosity. Such an opinion, however, may be found, upon reflection, to be more fastidious than wise. When an unoffending man and woman, in the midst of their peaceful callings, are suddenly stricken down by the hand of the murderer, it is not strange that the community should be startled and excited; nor is it claiming too much, when the deed is perpetrated in disguise, to demand that it be stripped away, that it may be known who it is that thus sacrifices human life. A desire to tear the mask from the face of murder is more natural than morbid; and, moreover, is

not wanting of legal sanction ; for the assumption of a false name for a guilty purpose is of itself a wrong —a violation of the law.

It has been confidently avowed on the one side, and as confidently denied on the other, that she belonged to three different families — the Woods, the Campbells, and the Robertsons. Whether she belongs to either, or any of them, we leave for the reader to determine, after an examination of the facts we now propose to record.

A few days subsequent to the trial, about the 8th of June, 1854, two communications appeared in the Troy Daily Whig, under the caption, "*Is Mrs. Robinson Miss Wood?*" They read as follows :

MR. BRIGHAM: *Sir*—I received the enclosed communication for you this morning, and, in connection with it, should like to say a few words. It is well known to my friends that I do not believe that Mrs. Robinson is in any way related to the family of the Woods, or that she was ever connected with the seminary. From some circumstances which have come to my knowledge, I suppose her to be a Mrs. Campbell, (this I think is the name, though I am not positive,) who was a native of Quebec, from a respectable family there, and who resided in the vicinity of Mr. Wood, at the time his daughters were in Troy, and who knew of their being here. She married, but soon lost her husband. She not long after went to Mr. Wood, to ask for assistance to go to Scotland, to her husband's relatives. Mr. Wood gave her nearly fifty dollars, which sum she expended in Quebec instead of using it for the purpose for which it was obtained. She afterward went again

to Mr. Wood for money, which he, not being satisfied with the disposition made of the first, declined giving. She very soon after set up a drinking house in the suburbs of the city, and while there persuaded a young man of respectable connections in Quebec, to elope with her to New York. This is the last that is known of her. The young man is said to have been seen there as a cab driver. Now, if Mrs. Robinson is this Mrs. Campbell, it is not at all difficult to see how she obtained the knowledge of many of the circumstances of which she has made use, in persuading those who have been about her that she was a member of the Wood family. Her knowledge of the persons of those belonging to families in which she professed to have visited, could very readily have been acquired during the several month's residence in this city previous to her arrest, and having the object in view of passing for the person she assumed to be, it is not to be supposed that she would neglect the use of any means which would aid her in the accomplishment of that end. This supposition will easily account for her recognition of a lady whom she addressed in court by her family name, the lady having been married for several years. Among other circumstances tending to show conclusively that Mrs. Robinson is not one of the Woods, is a remark made to me by one of her counsel, very soon after his first interview with her. "I expected," said he, "to have found at least traces of education and refinement in her, but in a conversation of half an hour, I found neither."

Mr. Jeffreys, the gentleman from Quebec, whose testimony is so much relied upon as proving the identity of Mrs. Robinson with Miss Wood, did not even see her while he was in Troy, and has recently written to a gentleman of this city, stating that he has, since his return, seen letters from all of the daughters of Mr. Wood, written within a short time past.

Another strong point is, the fact that Mr. William C. Heart, who was in my office as book-keeper, during all the time that the Misses Wood were members of the Seminary, and who was necessarily perfectly familiar with their appearance, saw Mrs. Robinson repeatedly in the bank, of which he is teller, and in the street, and though very much impressed by her English or Canadian look, still never thought, and is now quite certain from his recollection, that she cannot be either of them ; and finally, we have the word of a gentleman, Mr. W. F. Wood, whose character is unimpeached and unimpeachable, against that of a woman who has for years been leading a life of shameless profligacy. Mr. Wood was in Troy last summer, almost immediately after the arrest of Mrs. Robinson, and at that time furnished the names and residences of his sisters, all of whom had been seen by him at their residences in Great Britain within three months previous to the time that he was here, and which are as follows :

Georgianna, the eldest, is living in London. She is the widow of William Capel Clayton, the eldest son of Sir William Robert Clayton, Bart., of Harleywood, Marlow, England.

Emma, the second, is the wife of Dr. McIntosh, recently surgeon of the royal artillery, son of the late celebrated Dr. McIntosh, of Edinburg, and she is now living in Scotland.

Charlotte, the third daughter, is married to the eldest son of Sir William Francis Elliott, Bart., of Stob's Castle, Roxburghshire, Scotland, in which country she and her hnsband reside.

Harriet, the fourth daughter, resides in Dublin with her husband, Capt. Mackay, of the royal artillery, who is now stationed in that city, Capt. Mackay is the son of the late Col. Mackay, of Bighouse, Scotland.

Maria, the youngest daughter, who was never at the seminary, is now residing with her sister, Mrs. McIntosh.

It is said that Mr. Wood might be influenced by a desire to cover the disgrace to his family, from the conduct of an unworthy member, and therefore would be led to make false statements with regard to it.

When Mr. Wood was here, he went with me to the jail, in order, if possible, to see Mrs. Robinson. Now, if I know anything of the manifestation of human feeling, in the manner and in the countenance, I know that that man could never have gone to the prison of a sister, under charge of a most cold-blooded and deliberate murder, as he went with me at that time.

When we reached her room, the sheriff opened her door, so as to give us an opportunity of seeing her as she lay upon her bed. She was so covered that we saw only the upper part of her face and her hand. From the size and appearance of the hand and wrist, I was more fully confirmed in my opinion, if possible, than I had been before. She, as usual — and as she had done two or three times by Mrs. Willard and myself — refused to see us.

She recognized Mr. Wood, as was to be expected, from her former residence near his father's.

She said then, very much as she had done when I had called before to see her, that she had no brother, and *she was not the person we supposed*; meaning, evidently, that she was not Miss Wood — and refusing what would have been a certain means of identifying herself if she were what she professed to be.

I should have made these statements before, but was in Virginia during the trial of Mrs. Robinson, and since my return have been so much occupied that I have not until now found time to prepare it.

J. H. WILLARD.

The following letter from Mr. Wood, of Quebec, is as direct and positive evidence as could be desired :

To the Editor of the Troy Whig :

SIR—Having seen an article in the Troy Daily Whig, of the 25th of May, relative to the trial of Henrietta Robinson, wherein it is stated — “It may not be improper to say that the current belief is—not to use a stronger term—that Mrs. Robinson, the prisoner, formerly, some twenty years ago, resided in this city, as a pupil at the seminary ; that her maiden name was Wood ; that her family was one of wealth, standing, and respectability, and resided somewhere near Quebec ; that while here, she moved in the best social circles of our city, as did three sisters, who also attended the seminary at different times ; that she subsequently married an army officer in Canada, who died ; that she then married a surgeon in the army in the provinces, from whom she separated, and that she is here now, the vailed prisoner at the bar.”

Being a member of the only family residing in or near Quebec of the name answering to the above description, I feel myself impelled to deny that this Henrietta Robinson is in any way whatever connected with my family. I had four sisters, pupils at Mr. Willard’s Troy Seminary, *all of whom are now residing in Great Britain*. One of them married an officer of the British army in Canada, and after his death married, in Quebec, Dr. McIntosh, of the Royal Artillery, with whom she is now living, at Assynt House, Granton, Ross-shire, Scotland.

W. F. WOOD.

QUEBEC, 3d June, 1854.

Papers which have published an account of the trial of Henrietta Robinson, will oblige by giving the above insertion.

W. F. W.

The reasons for Mr. Willard's disbelief, as expressed in *his* communication, were plausible, but not all of them conclusive, or even satisfactory. It seemed apparent that, however confident and conscientious he was in his opinion, he was laboring, nevertheless, under a misapprehension of facts.

Previous to the time this letter was published, Mrs. Robinson had constantly and perseveringly endeavored, not only to conceal her face, but had obstinately refused, on all occasions, to give the slightest intimation respecting her name or family. All her efforts were turned in this direction. In her most trying hour, neither friend nor foe could wring the secret from her. Those who plead for her life could not persuade her, those who contended for her death could not provoke her, into a disclosure. But two weeks previous to this communication, one of her counsel had publicly stated, in open court, that, rather than unveil herself, she preferred to abide all consequences, whatever they might be. The counsel who opened the defense, declared, "I do not know the antecedents of this woman; what her life and character have been, she utterly refuses to disclose to any one; *so of her family and connections.*" It was this long-continued and well-known determination that invested the veiled woman with such mysterious interest. Mr. Willard, of course, was ignorant of these facts, or he would not have said, "it is not at all difficult to see how she obtained the knowledge

of many of the circumstances *of which she has made use, in persuading those who have been about her that she was a member of the Wood family.*" She had made use of no circumstances—had endeavored to persuade no one, that she belonged to that family.

This statement is much weakened, moreover, by being prefaced with a proviso—"If Mrs. Robinson is this Mrs. Campbell, then it is not difficult," &c. Now, he only *supposes* that she is Mrs. Campbell, "from some circumstances." If the circumstances he mentions, in reference to Mrs. Campbell, are *all* that came to his knowledge, we think the general verdict would be that they did not authorize his supposition; if they are *not* all, then he has left us in the dark on the subject.

But Mr. Willard makes another supposition in order to explain a fact. He thinks she might have acquired a knowledge of persons in the city, belonging to families in which she professed to have visited, during her residence there previous to the arrest; and also that, having in view the object of passing for another person, it was not to be supposed she would neglect any means to accomplish her ends. And upon this hypothesis, he adds: "This *supposition* will easily account for her recognition of a lady whom she addressed in court by her family name, the lady having been married for several years."

We do not think it can be accounted for on such a supposition quite so easily. The lady had been mar-

ried several years ; nevertheless, she addressed her by her family name. To ask us to adopt the supposition that the prisoner was Mrs. Campbell, and then the further supposition that she had inquired out the maiden name of a married lady, and then the still further and stranger supposition, that she took occasion to practice her deceit while absorbed in the proceedings of a trial, in which her life was at stake, is encroaching rather too far on human credulity. It is much more easy to *suppose* that Mrs. Campbell, at the time of the recognition in the court house, was with the cab driver in New York, where she was residing "*the last that was known of her.*"

But in this particular, also, Mr. Willard seems to be mistaken in a point of fact. Our information is that Mrs. Robinson did not recognize the lady in question ; on the contrary, the lady recognized her. We may be mistaken, but this is the exact language of the reporter, who witnessed the occurrence, and made a minute of it at the time : "*She was recognized to-day by one of her former schoolmates, who had some conversation with her.*"

It is not too much to say that Mr. Willard's reasoning thus far is altogether sophistical and destitute of force ; but he next adverts to a circumstance "tending to show conclusively that Mrs. Robinson is not one of the Woods." That circumstance consists of a remark of one of her counsel. He represents him as saying : "I expected to have found, at least, traces

of education and refinement in her, but in a conversation of half an hour I found neither."

However well educated or refined Mrs. Robinson may have been in the days of her innocence, it is fair to presume that much of the evidence of it was lost during her long and gross seclusion from society, and her associations with the rude and unmannered characters with whom her degraded course of life had brought her into contact. But while one of her counsel could discover no traces of refinement, there were many others who seemed to be more observing. Mr. Ostrom, who had frequently seen her at his drug store, testified that he "had noticed, in her former visits, that she had the air and appearance of *an accomplished lady.*" Her senior counsel, at least, whose opportunity of observing her manners and conversation were more frequent, perhaps, than those of any other, did not fail to remark some "traces of education and refinement," which his associate could not discover; for he stated in his opening of the defense, that "all we know of her is, that she is a lady of *unusual intelligence* and *highly polished manners.*" Indeed, it seemed to be taken for granted by every one, with the single exception alluded to, that she was a woman who had been well educated and well bred, notwithstanding they had only her personal bearing and style of language upon which to base the conclusion. This is apparent from a remark of Judge Harris, in his charge to the jury. "If it be

true," he said, "*as has been assumed throughout the trial*, that the accused is of gentle birth, and has once moved in the higher and more refined walks of life, what a painful illustration she presents of the rapid descent a woman makes to the lowest depths of degradation and vice, when she once consents to take leave of virtue and innocence!"

The overwhelming weight of evidence establishes a position precisely the reverse of that assumed by Mr. Willard, and, therefore, the superstructure of his logic upon this point, being deprived of any foundation whatever whereon to rest, necessarily falls to the ground.

If Mr. Jeffreys, the gentleman from Quebec, did not even see Mrs. Robinson while in Troy, then, of course, every one will readily agree with Mr. Willard, that it is difficult to perceive what reliance is to be placed upon his testimony. But it is evident, from the import of the paragraph in which his name is mentioned, that the testimony of Mr. Jeffreys was "much relied on." He did not see her, and yet he testified to something that was "relied on as proving the identity of Mrs. Robinson with Miss Wood." It was due to the readers of the Whig, whose attention Mr. Willard called to this question, by the publication of his letter, that he should have informed them what that testimony was, as well as what it was not. It might have been pertinent to the point, notwithstanding he did not see her.

That Mr. Heart is "quite certain," and, therefore, not positive, "from his recollection," that she cannot be either of the Misses Wood, is not a "strong point," but may be, nevertheless, entitled to some little weight. Whether, under the circumstances in which he saw her—at the same time supposing all the young ladies in question were residing in Canada or England—he would be likely, after a lapse of years, to recollect her, is a matter of doubt. Mr. Heart did not recognize her, but the lady at the court house, her old schoolmate, did.

Mr. Willard's crowning and concluding reason, however, strikes us as more original than conclusive. Mr. Heart did not recognize her face, and therefore he infers she is not Miss Wood. Mr. Willard did not recognize her *hand and wrist*, and is "more fully confirmed in his opinion, if possible, than before." He catches a glimpse of a woman's hand as she reclines upon a bed, her face covered with a vail, and at once perceives it is not the hand of a young lady who attended the seminary ten or twelve years before! It would be a marvel, indeed, if the "size and appearance" of a school girl's hand should not change during that length of time, and yet this statement is put forth in a public journal with a solemn gravity that is amusing.

Aside from Mr. Wood's evidence, all that can be truly said of this communication is, that it commences with a supposition and ends in an absurdity.

The manner in which it was received, may be inferred from another communication published in a Troy paper the ensuing day, as follows:

MRS. ROBINSON—WHO IS SHE ?

Our respected neighbor, John H. Willard, Esq., seems to be in great trouble about the identity of Mrs. Robinson. It is difficult to know why he should be. If she were Emma Wood, as some allege, how could the fact affect Mr. Willard, or the Troy Female Seminary ? He cannot guaranty the perpetual good conduct of all his pupils. No one would think the worse of him, or of his institution, if he were to leave Mrs. Robinson's friends and the public to find out who she is, as they best can.

There seems to be an impression in the minds of Mr. Willard and some other persons, that Mrs. Robinson tries to be thought Emma Wood. Now, if she be not Emma Wood, and is endeavoring to make the public believe she is, she is certainly guilty of a flagrant imposture, which must prejudice her interest. It is but justice to her to say, however, that she not only does not pretend to be Emma Wood, but makes every possible effort to induce the sheriff and jailer, as well as her counsel, to believe that she is not a member of the Wood family, and that if she were a member of that family, she cannot be Emma.

The writer of this article cares not what was the maiden name of Mrs. Robinson. All he undertakes to say is, that Mr. Willard knows nothing whatever in relation to who she is. There were but two points of her person which Mr. Willard saw ; one was the top of her head, and the other was her hand. Mr. Wood saw the top of her head and her hand, also, but he makes no remark upon them.

A hundred persons who had known Emma Wood, saw Mrs. Robinson's forehead during the trial, and did not come to the same conclusion that Mr. Willard did. The writer cannot conjecture what Mr. Willard saw about Mrs. Robinson's hand, which induced him to believe it could not be the hand of Emma Wood. But one thing can be safely asserted, and proved too, and that is, that Mrs. Robinson has *a very delicate and lady-like hand*; although the writer would draw no inference whatever, from that fact, as such hands are very common in this community.

ONE WHO HAS SEEN BOTH

MRS. ROBINSON AND EMMA WOOD.

Mr. Willard certainly had the very strongest reasons for believing as he did, but they were not those to which we have adverted. In the first place, Mrs. Robinson, herself, contradicted the prevailing rumor. And here our attention is directed to an apparent inconsistency in Mr. Willard's statement. In the first part of his letter he represents her as making use of circumstances to persuade those around her "that she was a member of the Wood family," but at its close he remarks, alluding to his visit with Mr. Wood at the jail, "*she then said, very much as she had done when I called before to see her*, that she had no brother, and that she was not the person we supposed—meaning, evidently, she was not Miss Wood." This is a discrepancy, it is singular Mr. Willard should have overlooked, because if, as he admits, he had previously had the evidence from her own lips that she

denied being one of the Wood family, he must have known that she did not pretend to the contrary.

But Mr. Wood's letter was sufficient to convince Mr. Willard, or any other person, as one might well suppose. He denies that this Henrietta Robinson is in any way, whatever, connected with his family. He furnishes the names, places of residence, and marriage connections, of each and all his sisters. The newspaper article which called out this communication to the public, represented that she married an officer who died; that she afterwards married a surgeon in the army, from whom she separated. Emma Wood was the only sister married to a surgeon. She was the wife of Dr. McIntosh—as appeared by the statement furnished Mr. Willard—a surgeon in the royal artillery. The “current belief,” therefore, according to the Whig, was, that Mrs. Robinson was Emma Wood, and consequently the letter is particular in refuting the impression, so far as she is concerned. It was true one of his sisters, to wit, Emma, had married an officer who died; it was true, also, that she afterward married a surgeon in the army; and so far the Whig was correct; but the remainder of the story was false, because Emma Wood had not separated from her husband; on the contrary, she was then residing with him at Assynt House, Granton, Ross-shire, Scotland.

But, as if to settle the matter beyond all reasonable question or dispute, Mr. Wood produces the depo-

sition of a highly respectable magistrate of Montreal, to sustain his assertion, that Mrs. Robinson is not *Emma Wood*. The Whig of the 12th of June, 1854, introduced it to its readers in the following manner:

"Thursday morning, last, we published a letter from W. F. Wood, Esq., of Quebec, in refutation of the impression, not to say belief, which had so strangely and widely obtained, that Mrs. Robinson was one of his four sisters, who formerly attended the seminary in Troy. On Saturday, we had a personal interview with Mr. Wood, who exhibited such evidences as would, in connection with his previous statement, under almost any state of circumstances, be conclusive. He exhibited to us letters from all his sisters, written within the last fifteen months, down to within a month; and several from Mrs. McIntosh—*Emma Wood*—as follows: Letters from Mrs. McIntosh, dated Assynt House, Scotland, April 10th and 12th, and May 17th, 1854. A letter from Miss Maria Wood, the youngest sister. A letter from Mrs. McIntosh's daughter, dated same time and place, in which her mother is referred to. Also, letters from Charlotte and Georgiana, dated about the same time. These letters are of a social and business character, bearing the foreign postage marks and other evidences of their genuineness, and which must be admitted to conclusively establish an *alibi*, or they must be set aside as fabrications.

" In addition to this testimony, Mr. Wood left with us the following deposition :

" Personally came and appeared before me, B. H. LaUrme, Esquire, one of her majesty's justices of the peace, for the district of Montreal, William Henry Allen Davies, also one of her majesty's justices of the peace, now residing in the city of Montreal, who, being duly sworn on the Holy Evangelists, deposeth and saith :

" That he is and has been for years past the attorney of Mrs. Emma C. McIntosh, daughter of the late Robert Wood, Esquire, of Quebec, and widow by her first marriage of the late Capt. McNicol of the British army, and now the wife of Dr. John McIntosh, with whom she is living, at Overton, in Scotland, and that as such attorney, he is in constant communication with the said Mrs. McIntosh, and is intimately acquainted with all her movements, having to remit her money every few months, and to correspond with her of her pecuniary affairs, and that it is in the knowledge of the said deponent, that Mrs. McIntosh has not been out of Great Britain since her departure from Canada, in the year 1849.

" And further this deponent saith, that he has had a letter from the said Mrs. Emma McIntosh, dated as late as the month of April last past, from her present residence at Assynt House, Overton, Ross-shire, in Scotland.

" W. H. A. DAVIES.

" Sworn before me, at Montreal, this 9th day of June, 1854.

" B. H. LA URME, J. P."

It would seem impossible to furnish evidence more full, clear, convincing and conclusive, than the foregoing, to establish the fact that Emma Wood was in Scotland, instead of Troy, yet the Whig, in comment-

ing upon the deposition, said : " Notwithstanding the testimony to the contrary, which has been spread before the public, fully corroborating the previous declaration of Mr. Wood, that all his sisters are, and for several years have been, in Great Britain, there is a remarkable pertinacity in the public mind to believe still that Mrs. Robinson is a Wood!"

The editor of the Whig, in his comments on the subject, concluded with the following just remarks : " If there is any testimony to prove this, beyond vague surmises, unsustained assertions, and mere opinions, it has not been placed before the public. Whether those pretending to have such testimony, and who profess to hold to the belief that Mrs. Robinson is a Wood, will, by refusing to make such testimony public, subject themselves to the imputation of getting up and keeping up a delusion for sinister purposes, to the great injustice of the Wood family, or by placing before the public the reasons of such belief, exculpate themselves from such a charge, and at the same time expose a design to impose upon the public by Mr. Wood, remains to be seen. Should there be no further testimony offered, the public must soon come to conclude that the whole thing is a made mystery—successful for a time, but soon exploded, to the disadvantage of all concerned. As the case stands they who can show that Mrs. Robinson is a Wood, should do so, and at the same time expose what would then appear to be an unfilial and almost inhu-

man abandonment of a sister. If they cannot do this, the simplest justice and humanity toward a family who, so far as the prevailing impression could fix it, has been made to share this woman's infamy, require they should, at least, hold their peace."

These comments were correct, and should have sufficed to settle the question, so far as Emma Wood was concerned, but the community adhered to its original opinion in the face of the most positive evidence, with an obstinacy that was unaccountable. The deposition of the Montreal magistrate was only spoken of as "going to show" that Mrs. Robinson was not his client, when there was no tangible reason for saying or believing it did not fully and fairly prove the facts. The Times newspaper also commented on Mr. La Urme's affidavit, in this manner: "Mr. John H. Willard makes no statement in connection with this evidence, and the testimony, as it stands, *goes to show*, therefore, that Mrs. Robinson is not a member of the Wood family. Who she is, is another question. There is something very singular in this affair."

We say, on the contrary, there was nothing very singular in the affidavit of her majesty's justice of the peace. It was the straight-forward, positive statement of an honorable man, given under the solemnity of an oath, and was entitled to implicit credit. It was the *truth*, and to relieve the reader from any further doubt on the subject, we close this chapter by saying that Henrietta Robinson is *not Emma Wood*.

CHAPTER XV.

THE INDEFATIGABLE COUNSEL—KINDNESS OF THE SHERIFF'S FAMILY—THE STRANGE HALLUCINATION—ASSAULT UPON THE SHERIFF—THE PRISONER IN CHAINS—THE MONTREAL TRANSCRIPT—ITS STATEMENTS CONTRADICTED—MR. WOOD'S SECOND LETTER TO THE WHIG—AGAIN VISITED BY THE GRAND JURY—THE LAW'S DELAY—SEARCH FOR THE IRISH WOMAN—HER ARRIVAL AT THE JAIL—THE RECOGNITION—THE DISCLOSURE OF THE PRISONER—THE REMARKABLE RESEMBLANCE—THE TESTIMONY OF THE QUEBEC GENTLEMAN—THE CROOKED FINGER—CIRCUMSTANTIAL EVIDENCE—DESCRIPTION OF PERSONS AND EVENTS—THE AFFAIR OF THE DOLL—SALISBURY POND—THE RECOGNITION OF THE CLERGYMAN—THE POSITIVE PROOF—THE ANNOUNCEMENT OF HER MARRIAGE—THE LIBEL SUIT.

WHILE the public was discussing the question of her identity, her counsel, Mr. Pierson, fully convinced that the woman was a monomaniac, was taking measures to present the case to the supreme court, with the view of obtaining a new trial. His efforts in her behalf were indefatigable, and, when it is remembered that he was actuated by motives of humanity, rather than any hope of reward, were commendable in the highest degree. The verdict of the jury did not alter his fixed belief, and in order to reverse it, he brought to bear whatever his eminent abilities and long experience could suggest.

The conduct of the prisoner subsequent to her conviction, tended to confirm his opinion. She had now

been an inmate of the jail more than a year. During that time, the sheriff, Mr. Price, had treated her with the utmost favor and kindness. She was permitted to occupy a large room in the upper story of the jail, comfortably and even elegantly furnished. Whatever luxury she desired, was readily procured, and, indeed, nothing was omitted on his part, consistent with his duties as an officer, to render her imprisonment as agreeable as the circumstances of her situation would allow.

His family, also, spared no pains in endeavoring to contribute to her comfort and contentment. His wife and daughter frequently visited her, striving to relieve the weariness of many long and tedious prison hours, with reading and conversation; and as we have seen, accompanied her daily to the court house while her trial was proceeding, and remained by her side, soothing and encouraging her, throughout the trying scene.

Nevertheless, after her conviction, Mrs. Robinson began to entertain an unaccountable animosity toward all the members of that worthy family. As she had previously imagined that a mob surrounded her cottage, so now she conceived that the sheriff and his household were conspiring to destroy her. No assurance, no reason, no evidence of kind feeling, could remove from her mind this singular hallucination. She took advantage of all occasions to heap upon him the most bitter and violent abuse, charging him with

the whole catalogue of crimes and misdemeanors, and denouncing him to all who visited her, as "that fiend, Price."

As usual, when under the influence of these crazy fancies, she resolved, with characteristic determination, to be revenged; and, doubtless, had it been in her power, would have stained her hands with the blood of another victim. In her cell, however, she was not permitted to retain her favorite revolvers, and accordingly, in the attempted accomplishment of her plan of vengeance, was compelled to make use of a less deadly weapon.

One morning, in the early part of July, 1854, as the sheriff entered her room, as customary, with her breakfast, and before a word of salutation had passed between them, she seized a candlestick with a heavy marble bottom, and struck him a spiteful blow with it in the forehead. It was so unexpected, and, withal, planted with such angry and well directed energy, that the astonished official was suddenly prostrated to the floor, with an ugly wound inflicted on his face. Such an exhibition of violence followed, as has been rarely witnessed. She became so frantic and ungovernable, that the sheriff was under the necessity of directing her to be handcuffed, and chained fast in her cell.

If there had been any real provocation, whatever, for this assault, the fact that she possesses revengeful and undisciplined passions, might have been sufficient to account for it; but when it is considered that

this gentleman, and all the members of his family, had proved themselves, by numberless acts, the best friends she had in her adversity, it is hard to conceive a sane being so ungrateful and unjust. Indeed, unless we deny her every attribute of humanity, it must be attributed to the distempered fancy of a deranged and disordered intellect.

She was kept in chains but a few days. As soon as her paroxysm had in some measure subsided, she was again allowed the liberty of her cell, but her denunciations continued unrestrained. During the remainder of her imprisonment in the jail, her accusations against him were bitter and continual. The last, as will be seen, grew out of his humane and efficient efforts to induce the executive to commute the penalty of death.

About this time, while people were speculating in regard to her identity, and after the communication of Mr. Wood, and the deposition of the Canadian magistrate, had so positively denied that she was Mrs. McIntosh, an article appeared in the *Montreal Transcript*, which many regarded as a final settlement of the question. The following was the statement of that journal :

"The unfortunate woman, Mrs. Robinson, recently convicted of murder at Troy, New York, is, we are informed, the daughter of a now deceased lumber merchant of Quebec. At an early age she married an officer of the First Royals, who died shortly after

the marriage. She next married a Dr. Robinson, from whom she soon separated. Her career since is better known in the States than in this Province."

This statement so nearly corresponded with popular rumor, that it was very easy to regard it as an explanation of the mystery. It confirmed the impression that she was a native of Quebec. It also corroborated the story that she had been married twice — the first time to an officer of the army, the second to a medical gentleman. Both having been born in the same city; both married twice, and to men in the same profession, it was not remarkable that Emma Wood should have been confounded with the daughter of the lumber merchant. It was reasonable and natural to suppose that the mistake had resulted from this coincidence; and without further agitation of the subject, it is, perhaps, probable that public opinion would have settled upon this conclusion.

A few days subsequent, however, to the appearance of the statement in the *Transcript*, a communication was published in one of the daily papers of Troy, contradicting it in the most positive and decided manner. It was as follows:

SIR—The story of the Montreal *Transcript*, concerning the unfortunate Mrs. Robinson, is not true, and the proprietor of that paper, Mr. McDonald, knows who she is, as well as I do. Her name is *Robertson*, the daughter of the late Dr. Robertson, of Montreal, who died in the lunatic asylum at Hudson, about nine years ago.

If any of the Montreal papers wish to contradict this statement, I am prepared to furnish unimpeachable testimony of its truth. Yours, &c., KNOWLEDGE.

This letter was dated from Green Island, and, although anonymous, spoke in terms so confident, proposing to establish the truth of the statement, if contradicted, that the question of identity was soon floating once more on a sea of speculation.

Up to this period, Mr. Wood had not been allowed an opportunity of seeing the woman, except as stated by Mr. Willard, in his published letter, notwithstanding his apparently anxious desire to obtain an interview. On the 15th of June, he was finally admitted to her cell, unaccompanied by any one, and remained, as is alleged, with the prisoner, one hour. The next day he directed the following letter to the *Whig*, which was verified:

To the Editor of the Daily Whig :

SIR — After having presented to you such proofs as I supposed would be satisfactory to yourself and the public, that the woman calling herself Henrietta Robinson, in the jail in this city, was not one of the daughters of the late Robert Wood, Esq., of Quebec, I was informed, by several persons in this city, that suspicions were still entertained by some that such proofs were fabricated; and having also been informed, by different persons in this city, that this woman was reported to have made various statements in relation to the Wood family, of Quebec, which, at least, showed a somewhat familiar knowledge of the family, I became very anxious to confront

the woman face to face, in the presence of any or all of her counsel, knowing she could not answer one out of half a dozen questions I would put to her, which, it would be readily seen, a sister of mine could not fail to do. Supposing that I could thus readily dispel the delusion that she was a member of my family, I was also solicitous to see her, and, if possible, ascertain whether she had actually any knowledge of, or acquaintance with, our family, as what she was reported to have said seemed to prove. After repeated attempts to obtain a sight of this woman, since my arrival in this city, I only succeeded yesterday afternoon; and I now declare that, never, to my knowledge, have I seen this woman before I saw her in the jail in this city, nor have I now the slightest knowledge or suspicion who she is, or where she came from.

I have endeavored in every way I could devise, or which was suggested to me, to procure an interview with this woman in the presence of her counsel, or of any person who knew my sisters, formerly residing in this city, but have not been able to do so. She promised yesterday, and professed to be anxious to see me this morning, in presence of Mr. Pierson, one of her counsel. I immediately procured the consent of Mr. Pierson to accompany me to the jail for that purpose; but when we called there this morning, I was informed at the jail she was willing to see me alone or Mr. Pierson alone, but that she wholly refused to see me in the presence of Mr. Pierson, or anybody else.

Under these circumstances, it is obvious that I cannot at this time furnish further evidence of the identity of this woman, than is now and has been submitted to you. My sisters, to my knowledge, are all residing in Great Britain. I know this woman never had any relation with my family. I have striven assiduously, but unavailingly, to confront her in presence of those whose previous knowledge of my family would enable

them at once to determine the correctness of my statement. It had seemed to me, when the respectability and position of my family were thus assailed, that common justice required that I should be afforded every facility to vindicate both. It has resulted otherwise; and I can but present my own statement, upon positive knowledge, corroborated by the proofs made public.

W. F. Wood.

TROY, June 16, 1854.

Toward the close of the summer and during the autumn of 1854, Mrs. Robinson became more gentle than usual, conducting herself, the greater portion of the time, with much propriety. The hand-cuffing and chaining had evidently produced a favorable change in her deportment. On the 15th of September, she was again visited by the grand jury. A gentleman connected with the press, who accompanied them, thus reported the interview: "She was inclined to be courteous and agreeable, even condescending to exhibit to the gaze of the jury her beautiful face, and to engage in sensible and entertaining conversation. The jury expressed their astonishment on finding her to be a woman of so much intelligence, and appeared to be highly delighted with their visit."

Month after month elapsed, term after term of the court came and passed away, without any apparent movement being made, on either side, to bring her case to a final close. More than three-quarters of a year had now expired since her conviction, and yet

the bill of exceptions to be presented to the court for argument, had not been settled.

In the meantime, the question, "Who is Mrs. Robinson?" continued to be discussed. At length, circumstances occurred that led to a full revelation of her identity, so far as the positive testimony of numerous witnesses, of the highest standing and respectability, together with her own repeated confessions and avowals, can be relied on. Toward the latter part of winter, she frequently inquired of persons connected with the jail, if they knew an Irish woman, whom we shall designate by the name of Mary, and who, she asserted, was formerly a resident of the city. Her frequent allusions to this woman, and the anxiety she exhibited to see her, induced the sheriff to institute inquiries, with the view of ascertaining if any such person could be found. After a considerable time, he received information through one of his deputies, that an Irish woman of the same name, and answering in all respects Mrs. Robinson's description, was residing at Schaghticoke, one of the country towns of the county of Rensselaer, a few miles out of the city of Troy.

This woman had formerly been a resident of Quebec, and represented that, while there, she became well acquainted with the young ladies in one of the principal families of the city, having been employed by them to furnish and fit some articles of dress, in which her husband was a dealer. With one of these

young ladies she became an especial favorite, receiving at her hands many little tokens of kindness, until she came to regard her with feelings of the warmest friendship. At length, the young lady left Quebec, for the purpose of prosecuting her studies at the Troy Female Seminary, and it so happened that, not long subsequent, the Irish woman and her husband, in the hope of improving their condition, also resolved to leave Quebec, and take up their residence in Troy.

Upon her departure, she was entrusted with letters to her young friend, by her family, and lost no time, on her arrival in Troy, until she had found her and delivered them. The girl was overjoyed on meeting her humble friend, and during the remainder of her residence at the seminary, continued to make her the recipient of many valuable favors. The time at length arrived, however, when the grateful woman was compelled to bid her a sorrowful farewell, and learning soon after that she had married and gone to England, she never expected to see her face again. Nevertheless, she did not forget her, but spoke of her frequently and enthusiastically, still retaining her form and features fresh and vivid in her memory.

She was informed that Mrs. Robinson, the "vailed murderer," desired to see her; and, accordingly, meeting with an opportunity of riding to the city, she presented herself at the jail one day, and made known to the sheriff the object of her errand. He

conducted her to the prisoner's cell, and unlocking the door, the woman passed into the apartment.

"Oh, Mary!" exclaimed Mrs. Robinson, the moment she perceived her, and immediately clasped her in her arms, kissing her, and expressing, so far as her emotions would permit, the gratification she experienced on seeing her once more.

For a long time they hung upon each other's neck, continuing to embrace, the poor woman only able to utter, "Charlotte, Charlotte, is it you indeed?"—an expression she reiterated very many times.

When the violence of their feelings had in some measure subsided, the two women, addressing each other as "*Mary*" and "*Charlotte*," spoke of Quebec, and of their old acquaintance, recalling many reminiscences of the days that had gone by. It was the first time in years that the condemned prisoner had conversed with one who had known her in other days, and the soul of the poor, lost creature seemed to revel amidst the innocent memories of her youth.

At the earnest request of Mrs. Robinson, the sheriff, always ready to gratify her, so far as the proper exercise of his duties permitted, the Irish woman was suffered to remain as long as she desired, and together they passed a week in the cell, occupying the same bed, and partaking of the same prison fare.

Those who witnessed this meeting, and observed the manners and emotions of the women, as they re-

cognized each other, felt that it was too true to nature to be the result of any premeditated plan of deception. It was too good acting to be counterfeit. From that moment, they had no doubt—whose sister soever she might not be, or from whatever family she might not have sprung—that she was once known by the name of *Charlotte*. During the week, other developments were made by the Irish woman, until finally, Mrs. Robinson, perceiving that further attempts at concealment would be useless, threw off the disguise she had so long and so stubbornly worn, and announced herself to be the same Charlotte Wood, who was formerly a pupil at the seminary, a native of Quebec !

Aside from her own asseverations, there were many circumstances that tended to confirm the truth of her statement. In the first place, the recognition of the lady in the court house, was an incident which those who interested themselves in disproving the current belief that she was a member of the Wood family, were never able satisfactorily to explain. The ingenious, but vain attempt, of Mr. Willard in that direction, as we have seen, had the effect of confirming, rather than disproving, this belief.

Another fact which had some weight, at least, was the remarkable resemblance the prisoner bore to Mr. W. F. Wood. To show how striking this must have been, we are permitted to state, that on his arrival at the jail, and before it was known by the family of the

sheriff who he was, his little daughter, some seven or eight years old, having observed him, ran to her mother, exclaiming that Mrs. Robinson's brother had come. This resemblance was as apparent to many others, as it was to the child.

It was further corroborated by a remark of the gentleman from Quebec, alluded to by Mr. Willard, in his communication to the *Whig*. It will be remembered that Mr. Willard spoke of him as one "whose testimony is so much relied upon as proving the identity of Mrs. Robinson with Miss Wood," and that he sought to show that it was of no force, notwithstanding it was relied on, by asserting that he "did not even see her while she was in Troy." It was true, he did not see her, but his testimony, which Mr. Willard did not repeat, was, that "*one of the Wood girls was missing.*"

But the following, perhaps, was the most convincing proof that she was Charlotte Wood, of any that appeared, previous to her own disclosure. There were many ladies residing in Troy who were schoolmates of the Misses Wood, and remembered them well. They were also known to quite a number of young men in the city, with whose families they associated during their residence at the seminary. Among the latter, was the son of a distinguished legal gentleman, whose name frequently occurs in these pages. After the appearance of the deposition of the Montreal magistrate, proving so conclusively that

she was not Emma Wood, and while all was in doubt as regarded her identity, he had the curiosity to obtain a view of the features of Mrs. Robinson. Years had elapsed since he had seen them before ; nevertheless, he recognized them at once. He denied the current rumor that she was Emma Wood, and insisted that she was no other than her sister Charlotte. One of her old schoolmates, above referred to, being present, remarked that she remembered a peculiar personal defect of her old acquaintance, which would go far to establish or refute the young gentleman's assertion. Thereupon, she declared that if Mrs. Robinson was really the Charlotte Wood, of Quebec, who graduated at the seminary, it would be found, on examination, that the little finger of her right hand was crooked. Measures were immediately taken to ascertain how this was, when it was found to be precisely as the lady had predicted ? The little finger of her right hand is quite crooked, the result of an injury received by falling from a horse. To hide the defect, she contracted the habit of concealing it with her handkerchief, a habit she still retains, and which was another peculiarity that contributed to the establishment of her identity.

These evidences, however, were only corroborative of her own statements—circumstances, it must be confessed, of a very convincing character, yet they were not of themselves sufficient to prove positively the truth of her story, especially in the face of the

strong testimony to the contrary. Her conviction of the great crime of murder, had rendered her infamous in the eye of the law, and in the estimation of the world, and wholly destroyed her credibility as a witness. Her single evidence, unsubstantiated, it might be well said, is not entitled to belief; but when it is surrounded and fortified on all sides by circumstances, not of her own creation and beyond her control, it would be folly to assert that it was of no weight, and entitled to no consideration.

After throwing aside the disguise, as we have stated, she alleged, and still alleges, that her maiden name was Charlotte F. Wood; that she was born in Quebec; and that the incidents of her early life have been such as are recorded in this book.

To convince those who were doubtful on the subject, that she was a pupil at the seminary, she refers to persons and events too numerous and minute to be all repeated. She describes the location of the room occupied by her, and by her different schoolmates, at the seminary; gives the names of teachers; specifies the studies pursued, the families she visited, the intimacies she contracted, and the acquaintances she formed; all corresponding in every remote particular, with the well known history of Charlotte Wood during her attendance at the institution.

Among other incidents that occurred while there, she recalled to the memory of a lady, who visited her in prison, the affair of the doll, alluded to in the

second chapter of this volume ; describing the mirth it created, and the object it effected, to wit : the reconciliation of two of her friends who had become estranged, and whom she succeeded in bringing together by this playful device.

She also recounted to another, particularly, the visit to Salisbury pond for the purpose of bathing—mentioning the associates who accompanied her—the peril she ran—the manner in which she was rescued, and the man who rescued her ; describing the occurrence with such faithful accuracy, as to leave no doubt in the minds of those who witnessed it, and to whom it was repeated, that she was there, whoever she might be.

A clergyman called at the jail one day, attracted thither by a desire to see “the vailed murderer,” of whom the world was talking. She no sooner observed him than she remarked, “I recognize you, sir. You are the Rev. ——. I used to hear you preach at the Ferry street church when I was at school at the seminary.” She was not recognized in return, but her description of the “revival” proved conclusively she must have been present, and that she retained a correct and vivid recollection of it.

Many circumstances, such as these, connected with her school-girl life, she was accustomed to relate. These facts, coming to the knowledge of those who were acquainted with them, led many to the jail, where, to crown the evidence with proof absolute and

positive, they recognized, contrary to their expectations, in the person of Mrs. Robinson, the murdereress, their old friend and school-mate, Charlotte Wood. These recognitions were not attended with any doubt or hesitation, but were of that certain character, which will be readily substantiated under any solemnity of form that occasion or necessity may demand.

According to her statements, the public rumor that she had been twice married, first to an officer of the army, and afterward to a surgeon, was incorrect. She was married but once, and to test the accuracy of her account of it, the old files of a Quebec newspaper were examined, where the following announcement was discovered:

“Married on the 16th ult., by the Rev. A. A. Adamson, William F. A. Elliot, Esq., 93d Highlanders, eldest son of Sir Francis Elliot, Bart., to Charlotte Maria, third daughter of Robert Wood, Esq., of Quebec.”

This announcement was found to agree with her information respecting her marriage, with the exception that the letter F. should be substituted for the word “Maria.”

The facts above detailed, with others of like character, touching the identity of the convicted woman, having been communicated to the editor of the Troy Daily Times, he made them the subject of editorial comment in his issue of the 15th March, last, under the caption, “Who is Mrs. Robinson?—The question an-

swered—The secret out.” In this article he alluded to the agitation the discussion of the question had excited in that community, and elsewhere; recapitulated the reports and rumors that had prevailed; adverted to the various cards and letters that had been published; and concluded by asserting, among other things, that “upon proofs that had come to light—proofs that could not be impeached—proofs that would carry conviction to every candid mind”—it could be shown that Mrs. Robinson was Charlotte Wood.

It is due to the reputed brother of the woman to state, that an action of libel was commenced by him against the editor for the publication of the article, in which he claims damages to the amount of twenty thousand dollars; and it is also due to the editor, perhaps, to say, that the complaint was not verified. The direct question at issue between them seems to be, whether Mrs. Robinson is, or is not, Charlotte Wood, and the result of the trial, if it ever takes place, will probably determine it, one way or the other, satisfactorily.

The letter of Mr. Wood represented that he had never to his knowledge seen the woman until he saw her in the Troy jail, and that he had not the slightest knowledge or suspicion who she was, or where she came from. We shall not assume to deny the correctness of this statement; nor comment on it further than to say, that it appears irreconcilable with a great mass of circumstantial and positive evidence.

If Mrs. Robinson is not Charlotte Wood, injustice has been done this gentlemen; if she is, the unnatural abandonment of the poor unfortunate, however guilty, is not commendable.

No one witnessed the interview between them, on the 15th of June. It lasted over one hour, and his account of it fully conveys the idea that the meeting was one of entire indifference on his part. On the other hand, her account of it, whatever credit it may be entitled to, is very different. We shall not undertake to repeat her description of the scene. Enough to say, that a slight alteration of a couplet in Lalla Rookh, gives the impression she conveys:

‘She raised her vail—the man turned slowly round,
Looked at her—shrieked—and sunk upon the ground.’

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CHAPTER XVI.

THE MOTION FOR A NEW TRIAL—THE APPELLANT'S POINTS—REFERENCES TO AUTHORITY — THE ANSWER OF THE PEOPLE — THE MOTION DENIED — REJOICINGS OF THE PRISONER—THE ILLUMINATION—POSTPONEMENT OF THE SENTENCE—THE PRISONER AGAIN IN COURT—THE DISTRICT ATTORNEY'S MOTION—REMARKS OF MR. PIERSON—DIALOGUE BETWEEN THE JUDGE AND PRISONER—THE SENTENCE OF DEATH PRONOUNCED—THE MANNER IN WHICH IT WAS RECEIVED—THE PRISONER PREPARES FOR DEATH—THE INVENTORY —THE REV. PETER HAVEMANS—HER CONFESSION AND BAPTISM—THE BEADS AND CROSS—THE SISTERS OF CHARITY—OPPOSES THE COMMUTATION—HER INCOMPREHENSIBLE CONDUCT.

THE Bill of Exceptions having finally been settled, the motion for a new trial, in the case of Henrietta Robinson *ads.* the People, was brought to argument at the term of the supreme court, held at Albany, in May, 1855. Mr. Pierson appeared for the appellant, and Mr. Hogeboom on behalf of the people.

It was contended, on the argument by the prisoner's counsel, that the judge erred in charging the jury "that if the prisoner was intoxicated, even to such an extent that she was unconscious of what she was doing, still the law holds her responsible for the act;" and in further charging that, "though the prisoner may have been excited by drink, at the time of the alleged offense, even to such an extent as not

to know what she was doing, she must answer for the consequences ; her self-inflicted insanity must not be allowed to avail her for her defense. The law still imputes to her a murderous intent."

It was also contended that the judge erred in refusing to charge the jury "that if they believed from the evidence that the mind of the prisoner was, at the time of the alleged offense, in such a state that she could not distinguish between right and wrong, she was not responsible for her acts, and they should find a verdict in her favor ;" but the principal point pressed upon the attention of the court, was the omission of the district attorney to issue a precept to the sheriff of Rensselaer county, twenty days before the oyer was held, requiring him to summon the grand jury who were drawn. This omission, it was very strenuously urged, rendered the conviction of the prisoner illegal.

The precept, it was insisted, is recognized as *process* by the statute ; and inasmuch as it was necessary at common law to issue it, it was still necessary, unless abolished by an express legislative act. It was argued that the abolition of venire process in courts of sessions and in civil cases, did not extend to courts of oyer and terminer, and that such was manifestly the intention of the legislature, otherwise the latter as well as former courts would have been specified. It was, therefore, in force, in courts of oyer and terminer, upon the principle that "in affirmative stat-

utes, such parts of the prior as may be incorporated in the subsequent statute, or which are consistent with it, must be considered in force." In the course of the argument numerous authorities were cited.

On the other side, it was maintained, that the precept was not properly a part of the record, but was merely a matter for the information and direction of the sheriff; that it was clearly not a necessary part of the record, unless it was a *venire*, and that it was not a *venire* for the reason that the statute did not call it such, nor invest it with the form, qualities, or functions of one. That, except in justice's courts, and in certain special proceedings, the *venire* was no longer in use, having been expressly abolished, (2d R. S. 410,) and that the providing of another process, the jury list, on which the sheriff was to summon and make return, evinced the legislative intent, that the *precept* was not to be, either in *form* or substance, a *venire*. That the omission to name the court of oyer and terminer, by the statute which dispenses with the *venire*, was not because it was designed to retain *venires* for that court, but because no trial juries were to be summoned for it, inasmuch as they were to be taken from the circuit juries. (2 R. S. 733.)

It was also maintained, on the part of the people, that it was too late to raise the question *after the trial*; that not having been raised before, it was *waived*; that the objection could only be reached by a challenge to the *array*, or to jurors individually, and could not

affect the validity of the indictment after trial. The judgment record begins with the indictment, and if that is not impeached at the proper time, or is not defective on its face, it imports, like every other record, absolute verity, and stands as a solid foundation for the judgment.

Another point argued by the counsel for the people, was that the precept is never necessary, except for *special* or *extraordinary* terms of the oyer and terminer appointed by the special commission of the governor, or the warrant of a circuit judge. And finally, that the provisions of the Revised Statutes, in relation to the issuing of precepts, had been repealed by the Code. (Sec. 17 to 25.)

In regard to the exceptions taken to the judge's charge, many authorities were referred to, to show that the voluntary intoxication of the prisoner, if it existed, did not excuse her from responsibility ; and it was very elaborately argued, that by common law, such intoxication, even when carried to an extent which deprived a party temporarily of reason, did not mitigate, but rather aggravated, the crime. It was still *murder*, and was so pronounced, not precisely because it necessarily implied the existence of malice, but principally from motives of public policy, such construction being essential to the safety and protection of the citizen : and that the rule was the same under the Revised Statutes of this state.

The argument concluded, the court announced that

it would reserve its decision until the next general term. In the meantime, the prisoner manifested little, if any, anxiety as to the result. On the 9th of June, Mr. Justice Parker pronounced the unanimous decision of the court, which was that the application for a new trial in the case of Henrietta Robinson *ads. the people*, was *denied*.

When the information was conveyed to the prisoner, instead of drooping in despair, she exhibited a delighted and cheerful spirit, declaring that it was an event to be celebrated by some signal demonstration. Accordingly, during the day she procured a great number of candles, and employed herself until evening in arranging them in her windows and around her cell. As night approached, she lighted them, and appeared to be overjoyed as she moved about in the blaze they created. A large crowd gathered in the street below, attracted by the illumination, and whenever her face was seen peering through the grates, she was greeted with tumultuous hurrahs. Thus passed the greater portion of the night, the strange, mysterious being to all appearances enjoying, as it were, a triumph, the news of the judicial determination which cut her off from the hope of life.

The denial of the motion for a new trial threw the case back into the Rensselaer oyer and terminer, and it now only remained to pass the sentence of death.

On the 14th of June, the circuit court being then in session at Troy, Judge Harris presiding, Mr. Pier-

son arose and stated that he had a matter to which he desired to call the attention of his honor. He had been informed by the sheriff that it was intended to bring Mrs. Robinson up for sentence at three o'clock. He wished to say that before sentence was passed, he was extremely anxious to have a few moments' conversation with her. It was a privilege he had a right to expect. The counsel for the people had both been in his office in the forenoon, neither of whom had said anything relative to the matter, and he had not been informed of the intention until a few minutes previous. Had notice been given him, he would have had time to call at the jail, and had the consultation he desired with the prisoner, and which he deemed proper should take place before sentence was passed. It could make little difference whether she was sentenced then or a week hence—at least if the court was to be continued the length of time his honor had suggested was probable. All he desired, was a brief interview with his client before she was sentenced to death, and hoped the court would think it proper to grant his reasonable request.

Judge Harris replied that he did not perceive what motive the gentleman could have in asking for a delay. He had felt a strong desire that the sentence of Mrs. Robinson, now that it became his duty to pass that sentence, should be gotten through with in as quiet a manner as possible—that it should be passed when the public knew little of the matter. He wished

to avoid the excitement which the case had so frequently created in that community. For this reason he had suggested to the sheriff and district attorney that perhaps this afternoon would be the most proper time to dispose of the matter. He had not, as perhaps he should have done, given notice to the prisoner's counsel, still he could not comprehend how anything was to be gained by farther delay. Nothing could be done for the prisoner in the present condition of the case. No argument upon a motion could be had until after the passing of sentence. He still thought that afternoon a proper time to dispose of it; nevertheless, if the gentleman insists upon time to enable him to have an interview with the prisoner, the delay he asks for shall be granted.

Mr. Pierson did insist, at the same time remarking that he appreciated the motives of the judge in endeavoring to keep the affair quiet, and thereupon the sheriff was ordered not to bring Mrs. Robinson into court that day.

Thus matters remained until the 19th of June, when the fact that the prisoner was to be sentenced that day, being somewhat noised abroad, a large crowd collected about the court house, before the commencement of the afternoon session. At about three o'clock Mrs. Robinson entered the room, tastily attired, and shrouded in her vail. She passed within the bar with a firm, sprightly step, laughing and conversing with the sheriff; and, on taking her seat by the side of her

counsel, saluted him politely with the utmost coolness and composure.

Mr. Brigham, the district attorney, presently arose and said : " May it please your honor—I have a motion to make, in the matter of Henrietta Robinson, who stands convicted of the murder of Timothy Langan. The prisoner is present, and if it is the pleasure of the court, I move that the sentence of the law be now passed upon her."

Mr. Pierson here arose, and after calling the attention of the court to some clerical errors in the record, which were ordered to be corrected, he remarked : " I have now nothing further to say against the passing of sentence. All that I was able to do, has been done to avert it. I have striven with all my power to save the life of this poor woman, but my exertions have been in vain. I have labored, also, without fee or reward of any kind, except the reward which the recollection of having diligently and faithfully sought to save a fellow-being, from what I consider an undeserved penalty, will afford. I believe this woman should have had a new trial — I believe she was unjustly condemned—but legal tribunals have adjudged otherwise, and ordered that she shall suffer death. The moment having now arrived when further effort would be not only vain but injudicious, I resign my unhappy client to her fate, and submit to the mandate that demands her sacrifice."

The court hereupon directed the officers in attend-

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ance to see that the spectators were seated. After the confusion caused by carrying this order into effect had subsided, Judge Harris said :

"Mrs. Robinson, have you any objections to removing your vail?" The prisoner at once threw her vail over her bonnet, at the same time laughing and conversing with those around her.

The Court. It is my painful duty, Mrs. Robinson, to inform you that the supreme court, at Albany, has denied the application of your counsel for a new trial in your case, and has ordered this court to pass the sentence of the law upon you. Have you anything to say before that sentence is passed?

Mrs. Robinson, in a clear, emphatic tone. Yes; I have much to say, but I know I should be interrupted.

The Court. You have been convicted of the willful murder of Timothy Lanagan.

Mrs. Robinson. Yes ; but it was upon false evidence. You have all conspired against me. Shame, judge, shame!

The Court. The law has proceeded with a slow but steady step to judgment. You have passed from one situation to another, until you find yourself in this condition. To you life is lost—character is gone —friends are gone.

Mrs. Robinson. No, no—not all.

The Court. If I thought you would listen to me—but I know you would not—I would advise you to

abandon this fruitless struggle with the world; I would counsel you to throw off this feigned insanity, and prepare to meet the fate that awaits you with true womanly resignation. Everything is lost to you. Honor and virtue are gone. Indeed, life to you is not worth possessing.

Mrs. Robinson. Oh, don't trouble yourself about that, if you please, judge.

The Court. I am aware that you would listen to nothing from me. I shall, therefore, without further remarks, proceed to pass sentence upon you.

THE SENTENCE.

The sentence of the court is, that you, Henrietta Robinson, be detained in the county prison of the county of Rensselaer until the third day of August next, and that on that day, between the hours of ten o'clock in the forenoon and two o'clock in the afternoon, *you be hanged by the neck until you be DEAD*, and may God, in his infinite mercy, save your soul.

Mrs. Robinson. You had better pray for your own soul, sir.

At this point she sprang to her feet, having hitherto been seated, and was about to address the court, when Mr. Pierson desired her to remain quiet.

Mrs. Robinson. Why should I remain quiet? What for? Am I not the victim of a political conspiracy intended to crush an innocent man? I will not be silent. All have deserted me. Martin I.

Townsend has deserted me. Sheriff Price is a shameless, villainous, heartless——

Mr. Pierson. Be quiet.

The prisoner, however, paid no attention to his request, but continued her denunciations against various individuals, declaring with great energy and vehemence that she was the victim of a political conspiracy. By this time the audience became much excited—standing upon the seats—pressing forward toward the bar—and creating the wildest confusion.

The Court. It is particularly desirable that the audience should remain seated, and it is further to be hoped, that no one will follow the prisoner to the carriage. The sheriff will remove her.

Sheriff Price immediately directed Mrs. Robinson to accompany him. She turned and looked sharply at him for a moment; then drawing the vail over her face, and pointing her finger at Judge Harris, exclaimed solemnly :

“Judge Harris, may the Judge of judges be *your* judge.”

She was then conducted from the court room, the mysterious blue vail closely drawn over her face, and entering the carriage, was borne back to jail, despite the judge’s request, surrounded by a multitude.

A few fleeting days were now all that remained for her to prepare for the final scene which would terminate her strange and turbulent career. She had found, indeed, in the impressive language of the

judge, "that the law moved on with slow but steady step to judgment." She had no cause to hope that the decree it had so solemnly pronounced would not be executed. Experience had taught her, that stern and unrelenting justice would not be satisfied, until she had passed through the agonies of an ignominious death, to the silence of a dishonored grave.

Apparently impressed with this idea, she resolved to meet her inexorable fate with fortitude and resignation. Desirous of compensing, in some measure, the friends who had assisted her, she caused an inventory to be taken of her effects, directing how they should be distributed after her execution.* Her little worldly affairs thus disposed of, she turned her thoughts to the contemplation of her spiritual state.

Mrs. Robinson, in earlier life, had been instructed in the tenets of the church of England; but now, in choosing her spiritual adviser and instructor, she selected a member of the Roman Catholic persuasion. At her request, the Rev. Peter Havemans, the worthy and pious pastor of St. Mary's, visited her frequently. Through the influence of the devout teachings and conversations of this good man, whose earn-

* In this inventory, among a great number of other things, were two gold chains, twelve twenty dollar gold pieces, one silver cake basket, eight silver forks, three black silk dresses, one plaid silk dress, one embroidered silk dress, three satin dresses, one green rule silk, one linen traveling dress, one velvet dress, three morning wrappers, two velvet cloaks, three shawls, twenty-four handkerchiefs, and other articles of apparel in proportion.

est labors in her behalf were unremitting, her manners became more gentle and subdued, and although it has been remarked as doubtful whether she held, or ever could have held, any definite relation to the eternal world, she, nevertheless, often appeared to be absorbed in religious meditation, and manifested a desire to converse of the goodness of the Almighty, and of her humble hopes of forgiveness in the life to come. To the holy father she confessed her sins, and having given evidences of repentance, in due time received the sacrament of baptism at his hands. Around her neck she wore those beads which remind the Romish votary of the saints, and on her breast the sacred emblem of the cross.

She was also frequently visited by the sisters of charity. Daily they glided to her cell, addressing her kindly, and in the language of religious consolation, praying her to submit humbly to the will of God, and striving to wean her from the desire of life. At her instance, they promised that her dead face should not be seen, and that they would bury her body in some lonely place, where it could never be taken up. Anxiously she insisted that the christian sisters should remain close by her side in the hour of death, as if she had faith that her departing spirit would be consoled by their presence, and would "ascend on their prayers to heaven."

At her request, also, prayers were offered up for her in St. Mary's church. These benign influences

seemed to have effectually resigned her to her fate. Indeed, she professed to look forward to the day of her execution with emotions of gratification and joy, as the end of her earthly tribulations, and the commencement of a happier existence. The thought of living longer—of the commutation of her sentence to imprisonment—appeared to be repugnant to her, in the extreme. She resisted, as far as in her power, all effort in that direction, beseeching visitors to prevail on the governor to let her die as the law had ordained, denouncing those who interested themselves in this behalf, as enemies, who had united in that “political conspiracy” which had compassed her condemnation by false evidence in a “corrupt” tribunal, and which now only sought to snatch from her the delicious rest that she was about to find in the grave.

If the doomed woman was not insane, it is difficult, indeed, we may add impossible, to analyze, with any degree of satisfaction, her mental or moral character. On any other supposition, her deportment is without a parallel, and utterly incomprehensible. That she believes herself a political victim, sacrificed upon the altar of party vengeance, there can be little question. Neither can there be much, if any doubt, that she regarded the suggestion of a commutation of her sentence, as a subtle device of her enemies, to accomplish a political end, and to subject her to grievous wrong and injury. In her religious moods

she was evidently sincere, for the time being. Still, in all her acts, so unnatural and inconsistent, there are evidences of hallucination. In one breath she would beg for the salvation of her own soul, and in the next, consign the souls of her enemies to perdition. In the midst of her devotions, with hands clasped, and kneeling before the cross, some mirth-provoking memory would arrest the solemnity, and as the visitor approached her cell, whether his ears were to be greeted with the sounds of prayer, the voice of laughter, or the utterance of bitter malediction, depended on her mood.

CHAPTER XVII.

THE EFFORTS TO PROCURE A COMMUTATION OF SENTENCE—LETTERS TO THE GOVERNOR—PROCEEDINGS OF THE TROJANS—THE EDITORIAL ARTICLE—THE EFFORTS OF SHERIFF PRICE—OF THE PEOPLE'S COUNSEL—OF JUDGE HARRIS—THE BENEVOLENT NEW YORK LADY—SHE PLEADS WITH THE GOVERNOR—INTERESTING ACCOUNT OF HER INTERVIEW WITH THE PRISONER—THE FORLORN DESIRE OF DEATH—THE SENTENCE COMMUTED—THE ANGER OF THE MURDERESS—THE ACTION OF THE GOVERNOR APPROVED—PREPARATION FOR A GRAND CONFLAGRATION—THE PLAN FRUSTRATED—DEPARTURE FOR SING SING—ILLUSION OF THE PRISONER—HER ADMIRATION OF THE SCENERY—INCIDENTS ON THE WAY—ARRIVAL AT SING SING—THE UNMANNERLY RECEPTION—REFUSES TO ANSWER QUESTIONS—SHE PRONOUNCES THE PRISON OFFICER CRAZY—CONCLUSION.

As the day appointed for the execution of the condemned woman approached, much anxiety was manifested to have her sentence commuted to imprisonment for life. From different parts of the state, and from other and distant states, communications were sent to the governor, urging him, in the most pressing manner, to avert the judgment of the law. He was appealed to as a christian, as a parent, as a philanthropist, as an executive living “in this intelligent nineteenth century,” to prevent the barbarism of putting an insane woman to death; and in one instance, a pair of earnest non-resistants in Ohio, dwelt upon the necessity of immediate action, inasmuch as the governor himself might be suddenly cut off, and

thus the execution would take place, as it were, by mistake.

The principal citizens of Troy, especially, were zealous and unanimous in their humane efforts to procure a modification of the sentence. One of their journals, alluding to a petition in circulation to that effect, thus expressed the general sentiment of the people: "We are not among those who, out of misplaced sympathy, wish to arrest the course of justice. Where there is no reasonable doubt, the penalties of violated law, however terrible, should surely and with no unreasonable delay be visited upon the head of the guilty culprit.

"In the case of Mrs. Robinson, however, we are compelled to believe that there are circumstances which require the interposition of executive authority. We have conversed with a large number of persons who have seen more or less of her since the arrest, and we have not found the first one that has not doubts upon the question of her sanity, and most of them express their conviction that she is positively insane. It strikes us, therefore, that, in view of these impressions and facts, justice and humanity both plead for forbearance and clemency. We trust that the governor will grant the prayer of the petition."

Sheriff Price, and those who attended upon her at the jail, and had, therefore, the best opportunity of judging correctly of her condition, urged the commutation, on the ground of her insanity. Some of

the counsel who appeared against her on the trial, and even Judge Harris himself, presented themselves before the governor, and represented that, notwithstanding their belief in her sanity at the time of the conviction, and the opinion, still entertained, that an acquittal, under the circumstances, would have been deplorable as an example, nevertheless, her subsequent conduct has been so eccentric and unaccountable, that it is impossible to suppress many serious doubts as to the soundness of her mind. They consequently recommended the case to the attention of his excellency, as one, in their judgment, calling, in a peculiar manner, for the exercise of the gubernatorial prerogative.

A lady of New York, however, distinguished alike for her genius and humanity, exerted herself more earnestly, perhaps, than any other, to save the woman from execution. Not only did she present her requests in writing, but sought the executive chamber, and in person plead feelingly and eloquently in behalf of the condemned. She was a stranger to the prisoner, yet she clung to her as closely as if she had been the nearest of her friends. There was something, indeed, beautiful and touching in the picture of this lady, prompted solely by motives of humanity, thus pleading at the feet of power for a fallen and degraded sister, whose own kindred, every one, had abandoned and disowned her.

Her account of an interview with Mrs. Robinson,

in the latter part of July, in her cell at Troy, exhibits in a favorable light the benevolent impulses of her own heart, while, at the same time, it presents in a clear and feeling manner the peculiar state of mind, and some of the singular characteristics of the prisoner. "I did not," she said, writing to the Tribune, "when I went to Troy for the purpose of visiting the unhappy woman in her gloomy cell, design to make any public expression of what I saw or heard, but her case is one so peculiar, and she is so evidently of an insane organization—so evidently from the first cursed with a disjointed and irresponsible mental and moral sense—that it seems desirable to analyze her case somewhat. Further than this, she has most unquestionably been 'more sinned against than sinning.' No hand has been extended to aid and protect her in her weakness, while many have aided in her downward tendency, and with such the guilt must rest.

"I doubt much if she could have well been held to the decorums of life. Phrenologically, her brain is low above the ears, and her hair grows down upon her forehead, even lower than that upon the bust of the celebrated antique of Clite. She has two projections in the region of what is called constructiveness, extending backward, which of themselves would be sufficient to throw the whole character out of balance. When you add to this brain a refined, lady-like form, round and compact, with a temperament of the highest and most excitable kind, it will easily be seen that

education might retard and modify her destiny, but would hardly serve to recreate her into a reliable or very safe character.

"She talks fluently, with a ready use of language, and appropriate imagery. As I sat by her gathering up my feet from the floor, for the mice were having a perfect carnival about the neatly kept room, I could not bring my mind to think that this young creature, full of health, with nerves so delicately strung, would, in less than ten days, lie an inanimate clod, and that, too, by the hands of violence. She had talked with me so candidly, often with such a child-like simplicity, laughing even over some by-gone experience, and then weeping like a poor, ill-treated child, that I ventured to say as much to her.

"'Yes, she replied 'a week from next Friday, my soul will be with God. I want to die ; I am sick of this cold, wicked world, where I cannot trust anybody. Oh ! I have found people cruel ; they have made me wicked when my heart was good. He gave me drugs and I went mad, more than once I went mad. Oh ! how I long to go home to God.'

"I could not look harshly and coldly on the poor weeping Magdalen. I took her little pale hand in mine and wept with her. As yet she had talked perfectly sane. She seemed like a very excitable woman, but not in the least like an insane one.

"One thing was noticeable in my interview. She was reclining upon the bed, and sat also upon the

side of it. Her plain white dress, or robe rather, was fastened at throat and wrist, thus concealing her whole person, while a large dark blue vail was thrown over her head, hiding her face partially. When her mood was gentle or religious, whenever her own consciousness was in the ascendant, her fingers moved uneasily about her neck. She would pull the collar away from her throat. This was very touching.

“‘But I have come to see you and to help save you from the final penalty, and in that case you would be willing to live.’

“‘No, no ; I want to go home to my God ; I am prepared for death now. The mode is nothing to me now that I am at peace with Him. He is more merciful than men. He will forgive me, and allow my death to atone for my evil life. No ; I want to die, and long for the day to come. My dress is all ready —very decent it is. I shall be carried out (her fingers were touching the side of her neck) and die. No one will see my face. I shall be very still, and my Savior (lifting her eyes) will pity me. The sisters promise me that I shall not be seen. They will hurry me away where I shall not be taken up. They have promised to stay with me, and to receive my body, and all this is better than to live and perhaps lead an evil life again, and then die unprepared and forsaken of God. Oh, no ; do not try to save me.’

“‘Surely the weakest and the wickedest heart that ever beat in a woman’s bosom, has a spot over which

an angel might rejoice ; a dim, solitary chamber, which might be swept and garnished and made an altar-place for the good Father.

“ ‘ But if you go to a prison or a hospital, and preserve this frame of mind, you can do good to others ; you can teach the ignorant, and comfort the suffering, and take care of the sick and dying.’

“ ‘ I don’t know—I don’t know ; it is better for me to die ; I might live thirty years in a prison, and death seems better.’

“ I looked at the lithe, active make, and could easily divine that imprisonment would be the greater penalty. I then told her the melancholy story of Margaret Divine, whom I believe to be entirely innocent of the crime for which she is convicted to twenty years of solitary imprisonment in the Newark, New Jersey, Penitentiary. A child of fifteen, losing the best years of her life in a prison, while hardened, ruffianly villains are pardoned out. This girl, so young, so gentle, so hopeless, wearing out her life in the prison of a foreign land, affects me greatly, and Mrs. Robinson listened and wept, and shuddered at the recital.

“ ‘ What a pity’ she exclaimed, ‘ they did not convict her.’

“ ‘ The public would not allow of her execution.’

“ ‘ But they will let me die?’

“ I shook my head.

“ ‘ They will, they must. Oh ! I am so sick of the world. Look here, please ; my poor husband and —

do not know where I am—they know nothing of all this. My father and mother are both dead; I have concealed my family name; while I live people are curious to know about me—when I am dead all will die with me. I have promised my brother to be very still; to die without betraying anything, and when I am gone, I shall cease to worry and distress my family. Here I am shut out from the world, of no use in it, sick of it. Oh! let me go home to my God.'

"There was courage and good sense in this forlorn desire for death. It shows, also, that the fear of it may be overcome in many ways.

"If you are executed, you will be the last woman who will endure the penalty in our country. It will raise a storm of indignant protest, which will compel our rulers to annul the statute, at least where a woman is to be the victim.'

"She smiled in a very sweet, heavenly manner; 'Then I shall do some good in my death. Is not God very good if he will permit a sinful creature like me, not only to atone for my wicked life by this violent death, but may even allow some good to grow out of it.'

"'You are a Roman Catholic?'

"'I am now. And since I have had some one to talk to me, to tell me truly about myself, and my duty to God, I am a great deal happier. The sisters of charity come and talk to me very kindly; they tell

me not to wish to live, but to take God's mode of drawing me back to himself, patiently and willingly.

"This was very sweet, and gave even an elevated expression to her handsome but unspiritual face.

"Are you willing to remove your veil?"

"Oh, yes, for you; but I do not like to have strangers come and stare at me. On my trial I *felt I could not be looked at.* It seemed to me *I should make other women ashamed.*'

"She then laid aside her veil and showed me her hair beginning to fall off, and her head much too large for the vital regions, except the lungs. She smiled like a child when I put my hand upon her temples, and expressed my sympathy for the grief she must have endured, and the trials which would disturb and madden such an organization. Here she wept.

"Will you tell me truly, whether you are guilty of the crime for which you are condemned? What you may say shall not harm you in the least."

"Her eyes assumed a wild expression.

"No, I am not guilty. Those people were good to me; sometimes when others were unkind they were good to me. They came to me when I was sick, and sent their children to stay with me. I never treated a human being ungratefully. My heart is a kind one. I have with my own hands taken care of rich people, and have cooked for the poor, and have helped them as much as I could. Now, these enemies who accuse me, know that I am not guilty—that I never dreamed

of poisoning my friends. I don't know about it, (she began to talk wildly,) I had been sick; I was mad for awhile, because — gave me something that took away my senses. I try to think over a great many things that happened, and I can't understand them. I can't tell exactly how I got here. I know I am a wicked woman, but I did not do that. I am the victim of a conspiracy. A political party wished to crush — and —, and so they took me up. They could do it, you know—I, a poor woman.'

" You have confessed every thing to your priest?"

" Oh, yes, and he knows I'm innocent; but he tells me it is better for me to die, and so I will die."

" Were you happily married? Are you willing to let me know all about your early life?"

" Oh, yes, I was married very young, and to a man I could not love. He was a good man, but I did not love him, and my first sin was in deserting my family." * * * * * I am convinced," the lady remarks in conclusion, " she has no consecutive memory of the past. She thinks she talks coherently, when much of what she says is a mere jargon. This mood of mind is entirely distinct from her religious one, the latter being a new one, and a very harmonious one in her present exigency, enabling her to ignore the past, and look calmly into the brief space of life before her, revealing a never ending blissful future. It seems as if she had arisen from a terrible

chaos, and she dreads life, lest she should again relapse into it.

"Turbulent has been her career with her stormy passions; she could not recall it without a shudder; and yet she laughed wildly and gesticulated in an almost frantic manner more than once. As it regards the past, her whole mind is in fragments. She remembers indeed 'a mass of things, but nought distinctly.' * * * * I doubt, if she ever could have been able, fully, to realize the relations of life, and yet she told me of sufferings, mental and physical, frightful to have been endured by any human being. One case of deceit and perjury she told me, worthy only of a fiend, and for which a day of retribution must come, if there is a God superintending the affairs of men. The cruel deceiver was one to whom she stood in relation. * * * * As she recalled all this, it became more and more evident that this person had maddened her. A vivid imagination, never rising to the ideal, has feasted and horrified itself amid its terrible experience, till she was irretrievably mad; that, too, in a way that required the wisest discrimination to be sure of the fact.

"Many might suspect her assertion that she was the victim of a political conspiracy to be a sham—a mere piece of affectation—and they might think her violent paroxysms a giddy mirth, or mere freaks of eccentricity; but she is insane, and probaby was so long before she committed this crime, if she ever did

commit it. * * * * Before I left, she gave me a message for the governor, begging me to deliver it to him faithfully, which of course I did not fail to do :

“ ‘ Tell him there is a political party wishing to put him out of office. They wish to crush — and — ; and if he commutes my sentence they will make political capital out of it ; and I would rather die than be used as an instrument to ruin a good man. Tell him to let me die as I wish. ’ ” * * *

As will be seen by the foregoing, while the governor had the case under consideration, the prisoner herself was using every means within her reach, to prevent any interference on his part, in the matter. It was a singular spectacle indeed ; the whole community petitioning for the life of one who begged that the boon might not be granted, and who only asked the privilege of dying as the law had decreed. The efforts making in her favor she attributed principally to the sheriff, and the reproaches she heaped upon him, in consequence, were incessant and indescribable. She regarded no man as her friend who desired or endeavored to avert the execution, and seemed, in earnest reality, to look upon it as marvelous, as something more cruel than she could clearly comprehend, that the officious, meddling world which had caused her so much trouble, should still wish to subject her to further torment, by imposing upon her the misery of longer life.

The anxiety, however, notwithstanding her peculiar notions, which extended more or less throughout the state with regard to the action which would be taken in the matter of the sentence, was, at length, relieved. On the evening of the 27th of July, just a week previous to the day appointed for the execution, a dispatch from Albany announced that the governor had decided to commute the punishment of death to that of imprisonment for life in the Sing Sing prison.

The time for argument, in respect to the justice or expediency of the commutation, had now gone by. In determining to stay the execution of the law, the governor had given his decision, from which there was no appeal, and which had no reversal. In his modification of the sentence of the court, the general judgment of community pronounced that he acted judiciously and wisely, as well as honestly and conscientiously. But in approving the action of the governor, no one complained of the jurors who returned the verdict. They were honest, upright and conscientious men, who sought only to ascertain the truth, under the solemnity and sanctity of their oaths. They weighed well and carefully the evidence presented to them, and hesitated long before arriving at the decision which pronounced a fellow creature unfit to live. No one who saw these twelve men as they entered the court room on the night the verdict was rendered, could doubt that every one of them had sacrificed

the promptings of sympathy to the stern requirements of duty.

"But there were circumstances" remarked a public journal, alluding to this subject, and which expressed the common sentiment, "there were circumstances developed upon the trial, which rendered it a matter of doubt whether Mrs. Robinson was in the possession of a sane mind at the time of the commission of the murder, notwithstanding the rendition of that verdict. At periods previous to that time, she had frequently demeaned herself so strangely, so wildly, as to attract the attention of those residing in her immediate vicinity. She had been, for a length of time, suffering from mental dejection, caused by social and pecuniary difficulties: There was an absence of all adequate motive, and the manner in which the deed was perpetrated, was in the highest degree preposterous, and could scarcely have been conceived by a person of sane mind. Her conduct during the trial was remarkable for the absence of all those emotions which usually characterize the demeanor of one on trial for life. In their stead, she exhibited a reckless eccentricity, a disregard for the recognized formula of justice, wholly inconsistent with the idea of sanity.

"During the period which has since elapsed, her conduct has been still more remarkable, and still more characteristic of a diseased mind. She has seemed to care little or nothing for her situation, and has en-

dured, with taunts and defiance, those trials before which strong minds and iron constitutions have quailed and trembled.

"All this cannot be affectation. So difficult a part could not be so well performed, and so consistently sustained, during a period of more than two years. That the woman is insane, from some cause, few, indeed, now hesitate to believe. That there is room for doubt as to her sanity, *all* admit; and, certainly, it would have been no less than barbarism to have sent her to the gallows, so long as even room for such a doubt existed. For this reason, the course of Gov. Clark, in commuting the sentence of death to imprisonment for life, is universally approved.

In some manner, the prisoner obtained intelligence that the sentence was commuted, before it was formally communicated to her by the sheriff. She at once became enraged, and commenced breaking up the remaining furniture in her cell, tearing her bedding and mattresses into strips; and throwing them from her grated window to persons in the street.

"I will not go to state prison," she exclaimed violently. "I want to die. Why will they torment me more?"

Upon the sheriff and his family she vented the bitterness of her indignation, declaring it was all their "work," and characterizing it as "a terrible persecution."

On Saturday, the 28th of July, being notified that

she would be required to leave in the afternoon, she immediately commenced preparations to celebrate the event, by a no less brilliant display than a grand conflagration, which, if it might not result in the destruction of the city, would at least reduce "the contemptible old jail" to ashes. Intent upon this purpose, and in the spirit of a Nero, she collected together the contents of her bed, and whatever other combustible material she could obtain, and duly provided herself with matches wherewith to ignite the pile at the moment of her departure. Of course, all these plans were frustrated, much to her dissatisfaction and disappointment, by removing the materials.

Arrangements had been made to convey her to Sing Sing prison, by the Hudson River train, which left Troy at four o'clock in the afternoon. Accordingly, at that hour she left the jail, invoking curses upon the sheriff and all connected with him, and was conducted in a carriage to the depot. In order to avoid the collection of a crowd, and the excitement which would necessarily follow, it was designed to keep the intended movement as quiet and secret as possible. Nevertheless, it became so far known, that throngs assembled, all manifesting the greatest curiosity to obtain a sight of the prisoner's face, which, however, was prevented by means of that "heavy blue vail," which, in her battle with the world, she seemed to regard as her shield and buckler.

On leaving the cell she was in a bad humor, highly

excited, and angry, and notwithstanding a crowd of Irish women at the jail door sought to provoke her by insulting cries, denouncing her as the murderer of their countryman and countrywoman, she paid no heed to them, whatever, but turned her wrath wholly upon the sheriff, whom she continued roundly to berate. In the carriage, however, on the way to the cars, she suddenly broke out into a fit of laughter, as if she regarded the parade made over her in the highest degree ridiculous and absurd. Instantly, she would assume her wrathful mood, her denunciations and invectives, and as instantly again, burst into tears, weeping sadly, as though her heart were breaking. Thus she alternated from mood to mood, a very waif, tossed upon the waves of opposite and contending passions.

The sheriff, only, accompanied her to Sing Sing. When the cars started, she appeared lost and confused, unable to realize or comprehend the situation in which she found herself. Evidently, she had forgotten, for the moment, her condition, and, indeed, she had not yet been informed whither she was destined. Something reminded her of other days and other scenes; and turning to the sheriff, she said: "You are going to take me home, are you not?" Then she began to describe the beautiful scenery on Lake Champlain and the St. Lawrence, and seemed to anticipate the pleasure they would enjoy in once more gliding over their waters. She spoke of the
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peculiarities of the Canadian people, and Canadian scenery, and conversed in that strain and manner which showed the poor woman was under the delusion that she was on a pleasant journey to her friends.

A gentleman from Troy happening to be on the same train, was introduced to her by the sheriff, as one who had been instrumental in procuring the commutation of her sentence. She answered his salutation with lady-like dignity and politeness ; and, as if recalled to herself, remarked that it might perhaps be expected that she would thank him for the interest he had manifested in her behalf, but the truth compelled her to say that she felt under no obligations to him whatever. Upon this subject she scolded and laughed alternately, sometimes regarding it in a serious, at other times in a comical light.

Presently, looking from the windows, as the train flew along the banks of the Hudson, she broke forth into rhapsodies on the beauty and grandeur of the river scenery. So long had she been confined within the gloomy walls of her prison, shut out from the sight of nature, that the flowing waters, the green fields, the trees and flowers seemed to inspire her with emotions of delight. It was all so lovely and picturesque, she said, that, were it a fair day, and had she pencil and paper, she would make some sketches. Her manners and conversation on the subject were simple and child-like in the extreme.

She became more and more impressed with the idea that she was on the way to Canada, and continued to interrogate the sheriff if he was not taking her home to her friends. The heart of the woman was evidently full of mournful pleasure at the thought of returning, like the repentant prodigal, to find peace, at last, in the bosom of her kindred. At length it became necessary for the sheriff to dispel the sweet illusion ; and, in answer to her question, he frankly informed her whither he was going—that he was not taking her to her friends in Canada, but to the state prison, at Sing Sing.

She was greatly moved by this information, and wept bitterly ; declaring that she would not remain there long—that she would destroy herself, and that in a little while the sheriff would hear that she was dead. When the first paroxysm of grief had somewhat subsided, she conversed more rationally than she had done at any time before, becoming very inquisitive in regard to the prison discipline. She was particularly troubled about her apparel, expressing the strongest repugnance to wearing convict clothing. She begged the sheriff to intercede with the prison officers in this matter, promising, if they would allow her to wear her own clothes, that she would furnish herself, without subjecting the state to the least expense.

At Poughkeepsie, she expressed a wish for refreshments, and partook of them in a decorous, lady-like,

and becoming manner. Although but few of the passengers were aware of her presence, she was under the impression that all of them knew her, and seemed exceedingly annoyed and excited about it, keeping herself closely veiled until after dark.

Before reaching Sing Sing, she became weary and exhausted; and, on arriving there, was much bewildered, repeatedly asking where she was. When they reached the office of the prison, the officer in charge was not present. It happened, however, that a party of young ladies and gentlemen were there. As they entered, the sheriff announced her name. She bowed courteously to the company, who, surprised, perhaps, at the unexpected appearance of one so notorious, stared at her, without very cordially returning her civility. After the lapse of a moment, she turned to the sheriff, and exclaimed, "What queer people these are; they have no manners."

She then begged earnestly to be taken home, saying she did not wish to stay in such a place, in such unmannerly society, and urged the sheriff to induce her brother William to come and take her away. This she repeatedly enjoined upon him.

Presently the officer in charge made his appearance, and commenced asking the usual questions as to her age, birth-place, &c. At this procedure she laughed immoderately; and, turning to the sheriff, said, "Why, the man is crazy!" The officer rebuked her, and sternly commanded her to answer

him at once, and correctly. She continued to laugh most heartily. In reply to his question as to her age, she intimated that it was impertinent, and declared roundly she would not tell him. In regard to her birth-place, however, she finally stated that she was born in Quebec. This was the only answer she would make to any question that was propounded. She was threatened with punishment, but the threat was received with a laugh. The officer finally relinquished his efforts, and postponed the matter, remarking, that if she refused to answer the next time, "she would get cold water." She laughed again, saying to the sheriff, "That fellow is surely crazy."

A small package she had brought with her was then opened and examined, and among a variety of toilet articles was found a small rope, coiled up, the size of a bed-cord, and about five feet long.

She was then conducted to the female prison, where she met the matron. Here, after informing her that she would be kindly cared for, and giving her other assurances calculated to soothe and quiet her, Sheriff Price took his leave, and the prison gate closed on Henrietta Robinson, the "veiled murderer," forever.

Thus have we traced the history of this ill-starred woman through the pleasant scenes of her luxurious youth—through the disappointments and sorrows that beset ~~her~~ first entrance into society — through the

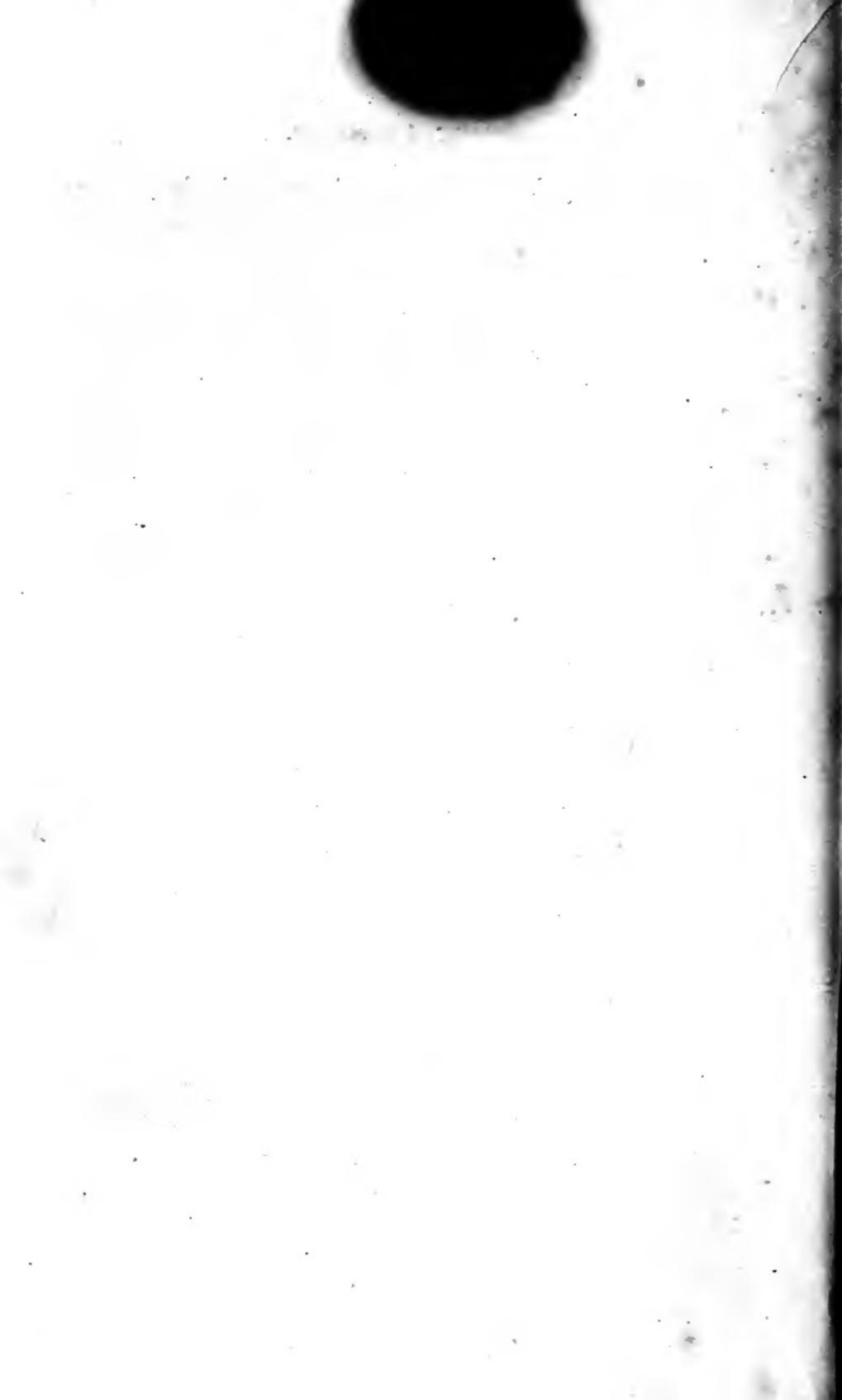
trials, temptations, and guilt of later years—endeavoring, faithfully and truthfully, to depict how she descended, step by step, from the highest social position, to the very depths of ignominy and disgrace. And much, indeed, shall we be disappointed, if the melancholy story of her life, when pondered wisely, fails to afford some useful and impressive lessons.

Despicable as has been her career—deserving as it is of censure—it is, nevertheless, difficult, while contemplating her unlucky fortunes and unhappy fate, to resist emotions of pity and compassion. If, possibly, after all, the strong belief of those who have had the best opportunity of judging, be correct; if she be, indeed, insane—a monomaniac—rendered unconscious of her deeds by the “act of God;” then, truly, is she an object demanding our keenest sympathies.

Moreover, the efforts which have been made to shield from merited reprobation the author of her shame and madness, and to justify the desertion of her by those whom the promptings of nature, it would seem, ought to have drawn closely to her side, while her own delinquencies have been canvassed, heralded, and condemned, without stint or mercy, doth not look like even-handed justice. Terrible as have been her deeds, that, certainly, must be an ungenerous heart which would deny her the consolation of whatever mitigating plea or excusatory circumstance may properly and justly be urged in her behalf. If any

portion of the heavy burden of her guilt should be borne by others, let it rest, at least in the estimation of the world, where it rightly belongs.

The history of this lost and forsaken woman, the reader cannot have failed to observe, affords a most striking example of the folly and the danger of forcing the young affections into repugnant and uncongenial channels ; but, above all, it presents a signal illustration of the truth, that the way of the transgressor is, indeed, hard ; and that, whether high or low, rich or poor, the path of virtue is the only path that leads to happiness.



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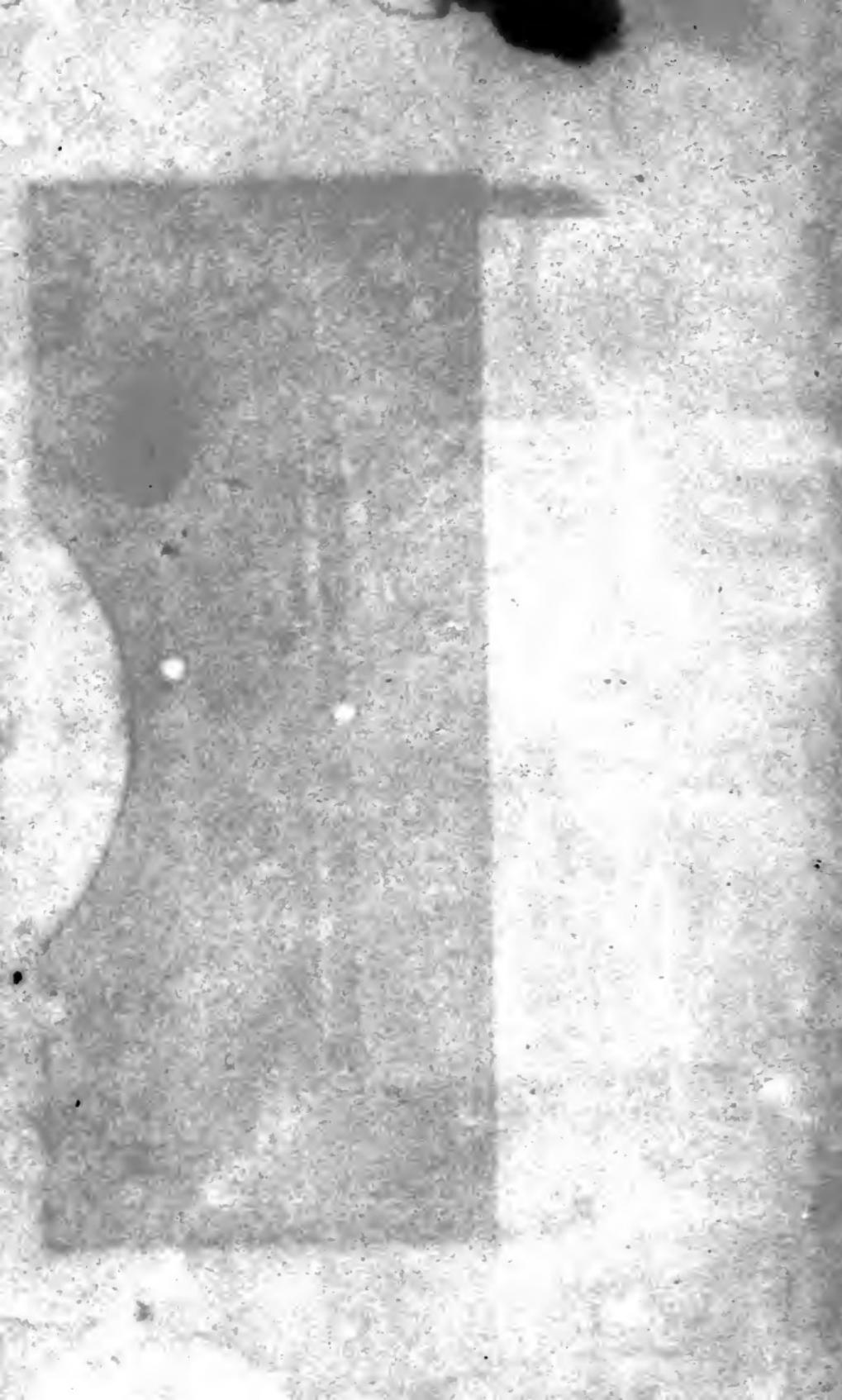
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